



Journal of the Senate

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ADOPTION OF RESOLUTIONS

On motion by Senator Lawson—

By Senators Lawson and King—

SR 2950—A resolution recognizing March 22, 2007, as “FSU Day.”

WHEREAS, the Tallahassee campus of Florida State University is the oldest continuous site of higher education in Florida, and was the site of the state’s first chapter of Phi Beta Kappa, chartered in 1935, and

WHEREAS, in 1994, the Florida State University joined an elite group of the nation’s top research universities, being designated a “Research I” institution by the Carnegie Foundation, and

WHEREAS, today Florida State University offers graduate and undergraduate degrees in 304 programs within 17 independent colleges and schools, taught by a faculty of 2,291 members, which has included 12 National Academy of Sciences members and 6 Nobel Laureates, and

CALL TO ORDER

The Senate was called to order by President Pruitt at 9:00 a.m. A quorum present—35:

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peadar
Argenziano	Geller	Posey
Aronberg	Haridopolos	Rich
Baker	Hill	Ring
Bullard	Jones	Saunders
Carlton	Joyner	Siplin
Constantine	Justice	Storms
Crist	King	Webster
Dawson	Lawson	Wilson
Deutch	Lynn	Wise
Dockery	Margolis	

Excused: Senator Atwater until 9:30 a.m.; Senator Diaz de la Portilla until 10:00 a.m.; and Senator Bennett

PRAYER

The following prayer was offered by Mike Martin, Florida State University Baseball Coach:

Father God, thank you for another day that you have given us to enjoy and help us to realize that all that we have is because of you. God, may we always seek you in every decision that we have, for your will is perfect. Be with each of us in all that we do and say.

Thank you for the gift of life. May we live it the way you taught us. In the name of God, our creator, Amen.

PLEDGE

Kyle Doney led the Senate in the pledge of allegiance to the flag of the United States of America. Kyle is a senior at Florida State University, and a member of the Seminole Tribe of Florida.

DOCTOR OF THE DAY

The President recognized Dr. Robert Pickard of South Miami, sponsored by Senator Diaz de la Portilla, as doctor of the day. Dr. Pickard specializes in Otolaryngology.

WHEREAS, the Florida State University houses the National High Magnetic Field Laboratory, which uses the world’s most powerful magnet to conduct research into the frontiers of science and engineering technologies for a new century, and

WHEREAS, Florida State University is home to the winningest coach in college football, Bobby Bowden; head baseball coach, Mike Martin; and the winner of the Heisman Trophy, Charlie Ward, who were recently honored with induction into national halls of fame, and

WHEREAS, Florida State University has an expanding presence statewide with the opening of two regional campuses of its College of Medicine in Daytona Beach and Fort Pierce, in addition to campuses that the university maintains in Panama City and in Sarasota with the Ringling Center for the Cultural Arts, and

WHEREAS, the college experience at Florida State University continues to enrich the lives of students due to the long-standing tradition of promoting racial, ethnic, and cultural diversity on its campus along with the aggressive recruitment of diverse groups of students, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate recognizes March 22, 2007, as “FSU Day” in Tallahassee, in recognition of Florida State University’s contributions as an outstanding institution of higher education.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Dr. T. K. Wetherell, President of Florida State University, as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Lawson, **SR 2950** was read the second time in full and adopted.

On motion by Senator Justice—
By Senator Justice—

SR 2960—A resolution honoring the Phi Theta Kappa 2007 All-Florida Academic Team members.

WHEREAS, March 22, 2007, “Florida Phi Theta Kappa Day,” is an appropriate time for the Senate of the State of Florida to recognize and

salute Phi Theta Kappa, the esteemed international honor society for community and junior colleges, and

WHEREAS, special commendations should be extended to the outstanding scholars who comprise the 2007 All-Florida Academic Team, a team of highly successful community college students assembled by the Florida Community College System, and

WHEREAS, 110 students from Florida's Community College System and two private institutions, Florida College and Keiser University, were named to the 2007 All-Florida Academic Team, and

WHEREAS, based on the national ranking of these students in the All-USA Academic Team competition sponsored by USA Today and Phi Theta Kappa, which is recognized internationally, nationally, and in the State of Florida as the primary community college organization for the recognition of academic achievement, leadership, and service to the community, the following students comprise the 2007 All-Florida Academic Team:

ALL-FLORIDA ACADEMIC TEAM

Carlos Acevedo, Miami Dade College
 Frederick Alcober, Valencia Community College
 Kerry Anderson, Valencia Community College
 Jason Angell, Florida Community College at Jacksonville
 Suzan Bekiroglu, Pasco-Hernando Community College
 Barry Bohnsack, Valencia Community College
 Tina Bouse, St. Johns River Community College
 Dana Briley, Keiser University
 Jessica Brockway, Indian River Community College
 Christopher Brown, Hillsborough Community College
 Michelle Brubaker, Manatee Community College
 Penny Bryan, Manatee Community College
 Hannah Buchanan, Pensacola Junior College
 Tarin Burger, Central Florida Community College
 Danielle Burkett, Lake City Community College
 Dustin Burkhardt, Pensacola Junior College
 Lafane Campbell, Santa Fe Community College
 Rebecca Carmody, St. Johns River Community College
 Melanie Carter, Brevard Community College
 Sarah Cartwright, Chipola College
 Paul Carvalho, Miami Dade College
 Gillermo Castilla-Rosell, Miami Dade College
 Thomas Colestock, South Florida Community College
 Libby Couch, Lake-Sumter Community College
 Audrey Couprie, Santa Fe Community College
 Praapty Debsarkar, Palm Beach Community College
 Sarah DiRuggiero, St. Petersburg College
 Daniella Dorcelus, Broward Community College
 Maria Echarren, Indian River Community College
 Christopher Ellan, Tallahassee Community College
 Misty Filippelli, Palm Beach Community College
 Brenda Franklin, Florida Community College at Jacksonville
 Monica Friedman, Miami Dade College
 Sarah Garcia, Miami Dade College
 Kara Harmon, Pasco-Hernando Community College
 Ivan Hernandez, Okaloosa-Walton College
 Amanda Hoogkamp, Indian River Community College
 Erica Horne, Central Florida Community College
 Tanya Jackson, Broward Community College
 Michael Jackson, Jr., Polk Community College
 Amy Jeffries, Florida Keys Community College
 Ivonne Judge, Miami Dade College
 Alysia Julian, St. Petersburg College
 Vadim Kalashnikov, Daytona Beach Community College
 Karina Kedzierska, Daytona Beach Community College
 Abbey Kenyon, Florida College
 Kevin Kimball, Brevard Community College
 Jayanthi Koovackal, Polk Community College
 Petr Kout, Palm Beach Community College
 Kimberly Kuizon, Manatee Community College
 Scott Kunkle, Valencia Community College
 Richard Laffoon, Florida Community College at Jacksonville
 Monica Lange, Indian River Community College
 Debbye Lechniak, Florida Community College at Jacksonville
 Karen Mallinson, St. Johns River Community College
 Rocio Malo, Broward Community College

Amber Manera, Indian River Community College
 Justin Martin, South Florida Community College
 Meredith Maxwell, Hillsborough Community College
 Cassandra Meadows, Indian River Community College
 Petya Mihaylova, Palm Beach Community College
 Michelle Mills, Broward Community College
 Emily Moorhouse, Broward Community College
 Justine Naylon, Hillsborough Community College
 Amanda Nelson, Valencia Community College
 Danielle Nemeth, Lake-Sumter Community College
 Lori O'Brien, Edison College
 Rose Ocden, Indian River Community College
 Rebecca Olgaard, Okaloosa-Walton College
 Jorge Orjuela, Miami Dade College
 Johanna Orostiga, Miami Dade College
 Amber Osborne, Pasco-Hernando Community College
 Andrea Panayiotou, Indian River Community College
 Naomi Pierre, Palm Beach Community College
 Cindy Pohner, Edison College
 Kaitlin Reif, St. Petersburg College
 Sara Richardson, Okaloosa-Walton College
 Jessica Rigdon, Gulf Coast Community College
 Akela Robinson, North Florida Community College
 Isa Rosado, Seminole Community College
 Amy Rouinfar, Lake-Sumter Community College
 Elona Rrapo, St. Petersburg College
 Vianka Santana, Seminole Community College
 Heather Schutte, Indian River Community College
 Jennifer Shearer, Hillsborough Community College
 Jilian Sheffield, North Florida Community College
 Joshua Simmons, Pensacola Junior College
 Sonja Smith, Pasco-Hernando Community College
 Baron Stephens, Broward Community College
 Lindsey Stevenson, Brevard Community College
 Christopher Swanson, Hillsborough Community College
 Sherridon Sweeney, Florida College
 Teadora Thosath, Edison College
 Rebecca Tibbs, Hillsborough Community College
 Jessica Urquhart, Gulf Coast Community College
 Leah Valdes, Miami Dade College
 Jennifer Van Valkenburg, Brevard Community College
 Christina Vliet, Miami Dade College
 Thomas Walker, Chipola College
 James Ware, III, Hillsborough Community College
 Michelle Westgate, St. Petersburg College
 Cheryl Whalen, Brevard Community College
 Andrea White, Tallahassee Community College
 Jean Williamceau, Edison College
 Christina Williams, Brevard Community College
 Nina Wills, Palm Beach Community College
 Matthew Worden, Pensacola Junior College
 Lyndsi Wubbena, Pasco-Hernando Community College
 Sandra Zackeroff, Brevard Community College
 Samira Zaveri, Indian River Community College, and

WHEREAS, each member of the 2007 All-Florida Academic Team has demonstrated impressive intellect and leadership and a determination to achieve academic excellence, and

WHEREAS, the praiseworthy and devoted efforts of the members of Phi Theta Kappa's All-Florida Academic Team have earned for them and their academic institutions the respect and admiration of the Senate of the State of Florida and of the residents of this state, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate honors and congratulates Phi Theta Kappa, the Florida Community College System, and the members of the 2007 All-Florida Academic Team and commends the team members' outstanding competitive spirit as evidenced by their accomplishments.

—was introduced out of order and read by title. On motion by Senator Justice, **SR 2960** was read the second time in full and adopted.

At the request of Senator Wilson—

By Senator Wilson—

SR 842—A resolution encouraging the education of parents and children regarding the dangers of sexual solicitation and the abuse of youth.

WHEREAS, nationwide, one in three girls and one in six boys experience some form of sexual abuse before age 18, and

WHEREAS, sexual assaults comprise 67 percent of the crimes against juvenile victims, and

WHEREAS, by the end of 1998, more than 40 percent of all American homes had computers and 25 percent had Internet access, and children and teenagers constitute one of the fastest-growing groups of Internet users, with an estimated 77 million children having online access in 2005, and

WHEREAS, educating parents and children concerning the risks that are associated with the Internet is of paramount importance to the safety of children, and

WHEREAS, the Center for Missing and Exploited Children reports that only one-third of the households having Internet access are proactively protecting their children by using filtering or blocking software, and

WHEREAS, 75 percent of children are willing to share personal information online about themselves and their family in exchange for goods and services, and

WHEREAS, the website of the Department of Law Enforcement reports that only about 25 percent of the youth who have encountered a sexual approach or solicitation while using the Internet told a parent, and

WHEREAS, the Crimes Against Children Research Center reports that one in five teenagers in the United States regularly logging on to the Internet reports that he or she has received an unwanted sexual solicitation via the Internet, and

WHEREAS, research indicates that 69 percent of parents and 76 percent of youth do not know where or how to report incidents of sexual solicitation on the Internet, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate encourages parents and children to learn about the incidence of sexual abuse and the risks associated with online communication and urges parents to learn how to protect their children while they are online and how and where to report cases of sexual solicitation and exploitation which occur over the Internet.

—**SR 842** was introduced, read and adopted by publication.

At the request of Senator Geller—

By Senators Geller, Oelrich and King—

SR 2954—A resolution recognizing 50 years of International Programs at Florida State University.

WHEREAS, Florida State University's International Programs will observe and celebrate its 50th anniversary during the 2006-2007 academic year, and

WHEREAS, the commemoration of International Programs includes honoring the institutional study centers in Panama City, the Republic of Panama, established in 1957; Florence, Italy, founded in 1966; London, England, established in 1971; and Valencia, Spain, established as a year-round study center in 1996, and

WHEREAS, there are also 15 international summer programs offered by Florida State University around the world, including program locations in Ireland, Australia, Japan, the Czech Republic, Costa Rica, Holland, China, Brazil, Russia, Switzerland, France, Ecuador, and Croatia, and

WHEREAS, these programs and study centers are highly acclaimed and admired as providing exceptional academic opportunities and pivotal life experiences in preparation for careers and continued scholarly pursuits, and a lifelong perspective of world cultures, regional and national governance, geographical boundaries, natural resources, economic conditions, historical frameworks, languages, and populations, and

WHEREAS, there are more than 20,000 students, most of whom are now alumni of Florida State University, who have participated in the International Programs at study centers and through the various summer programs, and

WHEREAS, the Florida Senate resolutely and unanimously endorses the concept of international education programs and the essential institutional commitments, resources, and vision required to offer and support programs of the caliber, effectiveness, and attractiveness that have prevailed for half of a century through Florida State University, and

WHEREAS, the Florida Senate acknowledges the significance of this anniversary while reiterating its unwavering belief that International Programs represent a fundamental foundation in the mission of the university and higher education in general, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate conveys its sincere congratulations to the administrators, faculty, staff, students, and countries who have been tireless advocates and exceptional participants in the advancement and solidification of a program of uncommon substance and remarkable results.

BE IT FURTHER RESOLVED that the Florida Senate congratulates and commends the International Programs and joins with thousands of others to express heartfelt appreciation.

—**SR 2954** was introduced, read and adopted by publication.

INTRODUCTION OF FORMER SENATOR

Senator Constantine introduced former Senator Richard Crotty, Mayor of Orange County, who was present in the chamber.

BILLS ON THIRD READING

SENATOR CARLTON PRESIDING

CS for CS for SB 392—A bill to be entitled An act relating to watershed restoration; amending s. 215.619, F.S.; providing for expanded uses of bonds issued for Everglades restoration; amending s. 373.026, F.S.; providing certain requirements before the release of funds; amending s. 373.4595, F.S.; providing legislative findings and intent; providing definitions; providing a deadline and additional components for the Phase II Lake Okeechobee Watershed Protection Plan; prohibiting the disposal of wastewater residuals within the Lake Okeechobee watershed pursuant to certain conditions; providing for the inclusion of a water volume assessment in the Lake Okeechobee Watershed Research and Water Quality Monitoring Program; creating the Caloosahatchee and St. Lucie River Watershed Protection Program; creating the Caloosahatchee River Watershed Protection Plan; providing deadlines for plans submission; providing for required plan elements; creating the Caloosahatchee River Watershed Pollutant Control Program; providing requirements of the program; creating the Caloosahatchee River Watershed Research and Water Quality Monitoring Program; providing program requirements; creating the St. Lucie River Watershed Protection Plan; providing deadlines for plans submission; providing for required plan elements; creating the St. Lucie River Watershed Pollutant Control Program; providing requirements for the program; creating the St. Lucie Watershed Research and Water Quality Monitoring Program; providing program requirements; providing for the evaluation of the plans; providing for Legislative ratification of the plans; establishing a deadline for the establishment of total maximum daily loads for the Caloosahatchee River and estuary; providing for progress reports; providing rulemaking authority; amending s. 373.470, F.S.; providing definitions; expanding sources from which funds may be deposited into the Save Our Everglades Trust Fund; amending s. 373.472, F.S.; expanding authorized uses of funds deposited into the Save Our Everglades Trust Fund; extending the period of time in which funds may be deposited into the trust

fund; providing for additional distributions from the trust fund; providing an effective date.

—as amended March 21 was read the third time by title.

On motion by Senator Saunders, **CS for CS for SB 392** as amended was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Argenziano	Geller	Posey
Aronberg	Haridopolos	Rich
Baker	Hill	Ring
Bullard	Jones	Saunders
Carlton	Joyner	Siplin
Constantine	Justice	Storms
Crist	King	Webster
Dawson	Lawson	Wilson
Deutch	Lynn	Wise
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Atwater, Diaz de la Portilla, Garcia, Villalobos

CS for CS for CS for SB 1372—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 487.041, F.S.; revising the registration requirements for brands of pesticide distributed or sold in the state; providing for expiration on a specified date of requirements for annual registration; providing for future biennial registration; revising the registration fee; requiring that proceeds of the fee be deposited into the General Inspection Trust Fund and used by the department to administer ch. 487, F.S.; providing for a fee to be imposed for late registration; amending ss. 500.03 and 500.147, F.S., relating to the Florida Food Safety Act; updating references for purposes of provisions governing the sale of bottled water and the operation of bottled water plants; redefining the term “food establishment” to include tomato packinghouses; amending s. 502.012, F.S.; revising and clarifying definitions; amending s. 502.014, F.S.; revising the department’s rulemaking authority concerning lowfat cottage cheese; conforming terminology; amending s. 502.053, F.S.; revising the permitting requirements for certain milk plants; deleting a provision authorizing the department to issue a temporary permit to milk haulers; amending s. 502.054, F.S.; conforming terminology; amending s. 502.091, F.S.; clarifying provisions governing the sale of milk and milk products; specifying the types of food establishments at which such products may be sold; providing requirements for the sale of cheese made from raw milk; repealing ss. 591.27-591.34, F.S., relating to the designation, marking, and cutting of seed trees; creating the Consumer Fireworks Task Force within the department for certain purposes; providing legislative findings; providing for task force membership and selection of chair and vice-chair; specifying serving without compensation; providing for per diem and travel expenses; requiring the department to staff the task force; requiring a report to the Legislature by a time certain; providing for abolition of the task force; prohibiting the opening or permitting of certain facilities for the retail sale of fireworks or the adoption of certain ordinances or other laws by local governments under specified conditions concerning the adoption of uniform fire prevention and safety standards; amending s. 570.07, F.S.; authorizing personnel within the various divisions of the department to perform regulatory and inspection services relating to agriculture; requiring that the department adopt requirements for enhancing food safety; amending s. 570.48, F.S.; authorizing the Division of Fruit and Vegetables to perform food safety inspections with respect to tomatoes; amending s. 570.481, F.S.; requiring that fees collected by the department to cover the costs of tomato-related inspections be deposited into the General Inspection Trust Fund and used for specified purposes; authorizing the Department of Agriculture and Consumer Services to conduct research projects on citrus diseases which are recommended by the Florida Citrus Production Research Advisory Council, within appropriations for such purpose; providing an effective date.

—as amended March 21 was read the third time by title.

MOTION

On motion by Senator Lynn, the rules were waived to allow the following amendment to be considered:

Senator Lynn moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (955802)(with title amendment)—On page 21, between lines 5 and 6, insert:

Section 15. *E. H. “Gene” Downs Building designated; Department of Agriculture and Consumer Services to erect suitable markers.—*

(1) *The Unit No. 2 Packing House Building at the Palatka State Farmers’ Market is designated as the “E. H. ‘Gene’ Downs Building.”*

(2) *The Department of Agriculture and Consumer Services may erect suitable markers designating the E. H. “Gene” Downs Building as described in subsection (1).*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 3, line 11, after the semicolon (;) insert: designating the E. H. “Gene” Downs Building in Palatka; authorizing the Department of Agriculture and Consumer Services to erect suitable markers;

On motion by Senator Alexander, **CS for CS for CS for SB 1372** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Peaden
Alexander	Gaetz	Posey
Argenziano	Geller	Rich
Aronberg	Haridopolos	Ring
Atwater	Hill	Saunders
Baker	Jones	Siplin
Bullard	Joyner	Storms
Carlton	Justice	Villalobos
Constantine	King	Webster
Crist	Lawson	Wilson
Dawson	Lynn	Wise
Deutch	Margolis	
Dockery	Oelrich	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla, Garcia

CS for CS for SB 1232—A bill to be entitled An act relating to career and professional education; amending s. 1003.491, F.S.; creating the Florida Career and Professional Education Act for the purpose of improving academic performance and responding to the state’s workforce needs; requiring that district school boards develop strategic plans to address and meet local and regional workforce needs; requiring that all school districts establish a career and professional academy by a specified date; providing additional requirements for each school board’s strategic plan; requiring that the State Board of Education establish a process to review newly proposed core secondary courses; requiring a curriculum review committee; providing for the membership of the committee; requiring that approved courses be added to the Course Code Directory; providing for an appeal if a proposed core course is denied; amending s. 1003.492, F.S.; providing for coordination between career and professional academies and industry; requiring the State Board of Education to adopt rules using the expertise of Workforce Florida, Inc., and Enterprise Florida, Inc.; requiring the Department of Education to collect and analyze data concerning student achievement and performance; providing requirements for such analysis; requiring that the department report the results of the analysis annually to the Legislature; deleting obsolete provisions concerning a study by the department; amending s. 1003.493, F.S.; redefining the term “career and professional academy” to mean a program that integrates an academic curriculum with an

industry-specific curriculum; requiring public schools and school districts to offer career and professional academies; revising the goals of and requirements for a career and professional academy; requiring the Department of Education, in consultation with the Board of Governors of the State University System, to establish a mechanism for transferring credits to postsecondary institutions; requiring that a career and professional academy provide opportunities for students to attain the Florida Gold Seal Vocational Scholars award; requiring that career courses lead to industry certification; requiring that specified percentages of students achieve certification or college credit in order for a course to continue to be offered; requiring the Okaloosa County School District CHOICE Institutes to advise and assist newly established career and professional academies; repealing s. 1003.494, F.S., relating to the Career High-Skill Occupational Initiative for Career Education (CHOICE) academies; amending s. 1011.62, F.S.; providing for calculating the value of full-time equivalent student membership for students enrolled in a career and professional academy program; providing an effective date.

—as amended March 21 was read the third time by title.

Senator Lynn moved the following amendments which failed to receive the required two-thirds vote:

Amendment 1 (443856)(with title amendment)—On page 3, line 6 through page 14, line 24, delete those lines and redesignate subsequent sections.

And the title is amended as follows:

On page 1, line 3 through page 2, line 28, delete those lines and insert: education; amending s. 1011.62, F.S.;

Amendment 2 (423470)(with title amendment)—On page 15, lines 8-18, delete those lines and insert:

(p) Calculation of weighted full-time equivalent membership for secondary career and technical education funding.—The calculation will continue as currently defined by group 2 secondary career and technical programs based on student membership in secondary career and technical programs for grades 9 through 12. A separate categorical may be established in the appropriations act. The categorical shall establish a performance factor to be awarded to school district industry programs certified pursuant to ss. 1003.492 and 1003.494 for students who successfully complete and earn industry certification. The funding shall be awarded in subsequent years based on the prorated amount of the appropriation. Funding for the industry certification performance factor shall be based on the funds available.

And the title is amended as follows:

On page 3, lines 1 and 2, delete those lines and insert: secondary career and technical education funding; providing an effective date.

MOTION

On motion by Senator Gaetz, the rules were waived to allow the following amendment to be considered:

Senator Gaetz moved the following amendment which was adopted by two-thirds vote:

Amendment 3 (034290)—On page 5, lines 24-27, delete those lines and redesignate subsequent paragraphs.

On motion by Senator Gaetz, **CS for CS for SB 1232** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

Mr. President	Dawson	Jones
Alexander	Deutch	Joyner
Aronberg	Dockery	Justice
Atwater	Fasano	King
Bullard	Gaetz	Lawson
Carlton	Geller	Margolis
Constantine	Haridopolos	Oelrich
Crist	Hill	Peaden

Posey	Saunders	Webster
Rich	Siplin	Wilson
Ring	Storms	Wise
Nays—4		
Argenziano	Lynn	Villalobos
Garcia		

Vote after roll call:

Yea—Baker, Diaz de la Portilla

SPECIAL ORDER CALENDAR

By Senator Lawson—

CS for SB 1970—A bill to be entitled An act relating to exemptions from the requirements of ch. 120, F.S.; amending s. 24.109, F.S.; clarifying that certain emergency rules relating to the operation of lottery games and adopted by the Department of the Lottery are exempt from provisions restricting the duration of emergency rules; amending s. 120.569, F.S.; requiring that the state provide prior notice if it intends to offer certain evidence in an administrative hearing; providing procedures for administrative hearings involving allegations of sexual misconduct by a licensed professional; amending s. 120.57, F.S., relating to hearings involving disputed issues of material fact; eliminating certain procedures when the state offers evidence involving past acts or evidence to prove bad character or propensity; conforming cross-references; amending s. 120.80, F.S.; exempting judges of compensation claims from the requirements for notice and a hearing under ss. 120.569 and 120.57, F.S., when adjudicating workers' compensation claims; providing that judges of compensation claims are subject to the rulemaking procedures of ch. 120, F.S.; providing for the Office of Appeal Hearings within the Department of Children and Family Services rather than an administrative law judge to conduct certain hearings concerning the benefits provided under state public assistance programs; requiring that such hearings comply with certain rules of procedure; deleting a requirement that appellate jurisdiction for the Florida Public Service Commission conform to the Telecommunications Act of 1996; removing the exemption from ch. 120, F.S., provided for disqualification reviews of certified nurse assistant programs; requiring that a formal hearing be conducted by a hearing officer; eliminating the authority of the Department of Health to contract with the Department of Children and Family Services for hearing officers to conduct hearings on matters involving certain federal programs administered by the Department of Health; amending s. 120.81, F.S.; authorizing the Parole Commission to require that a prisoner submit written statements concerning intended action by the commission rather than be publicly heard; eliminating certain requirements for testimony and evidence in an administrative hearing involving the allegation of sexual misconduct by a licensed professional; amending ss. 120.56, 120.65, 388.4111, 403.788, 403.9415, and 627.0612, F.S., relating to challenges to rules, administrative law judges, public lands, final orders, disposition of applications, and rating determinations; conforming cross-references; amending s. 163.3177, F.S.; deleting provisions exempting from review under ch. 120, F.S., rules adopted by the state land planning agency establishing criteria for reviewing local comprehensive plans; deleting a requirement that such rules be reviewed by the Legislature; deleting obsolete provisions; amending s. 186.508, F.S.; revising the exemption for certain rules adopted by a regional planning council from rule challenge or drawout proceedings under ch. 120, F.S.; amending s. 370.26, F.S.; deleting a provision requiring the Department of Environmental Protection to develop a process for consolidating certain aquaculture permits; amending s. 373.421, F.S.; clarifying provisions relating to final agency action with respect to wetlands delineation; amending s. 380.06, F.S.; deleting provisions exempting from review under ch. 120, F.S., certain rules adopted by the state land planning agency authorizing the assessment and collection of fees; amending s. 393.0661, F.S.; deleting the authority of the Agency for Health Care Administration to adopt rules under certain circumstances governing fees, reimbursement rates, lengths of stay, number of visits, number of services, or enrollment limits for the home and community-based services delivery system of the Agency for Persons with Disabilities; amending s. 393.125, F.S.; requiring that the Agency for Persons with Disabilities adopt rules establishing guidelines for administrative hearings; authorizing witnesses to appear on behalf of a party by telephone or video teleconference; deleting provisions authorizing certain administrative hearings under ch. 120, F.S.; requiring the agency to adopt certain procedures governing client services provided by service providers; amending

s. 408.039, F.S.; deleting provisions requiring that the court, under certain circumstances, affirm a final order by the Agency for Health Care Administration when reviewing a disputed decision involving a certificate of need; amending s. 409.285, F.S.; clarifying that a final administrative decision regarding a public assistance program is issued in the name of the state agency that administers the program; defining the term "public assistance"; amending s. 440.021, F.S., relating to enforcement activities of the Division of Workers' Compensation in the Department of Financial Services; eliminating obsolete provisions with respect to communications resulting from investigations by the department; eliminating obsolete provisions relating to interest and penalty assessments; amending s. 456.073, F.S.; providing that the proceedings of a probable cause panel of a board within the Department of Health which meets to reconsider the original finding of probable cause is subject to public-meetings requirements; amending s. 458.345, F.S.; clarifying provisions that subject resident physicians, assistant resident physicians, house physicians, interns, and fellows in fellowship training to discipline by the Board of Medicine; amending s. 459.021, F.S.; clarifying provisions that subject resident physicians, assistant resident physicians, house physicians, interns, and fellows in fellowship training to discipline by the Board of Osteopathic Medicine; amending s. 497.153, F.S., relating to the regulation of funeral, cemetery, and consumer services by the Department of Financial Services; deleting provisions exempting certain decisions by the department concerning investigations and disciplinary matters from review under ch. 120, F.S.; amending s. 538.11, F.S., relating to recordkeeping requirements for secondhand dealers and secondary metals recyclers; deleting obsolete provisions providing for the adoption of emergency rules; amending s. 548.07, F.S., relating to the regulation of pugilistic exhibitions by the Florida State Boxing Commission; clarifying duties of the commission with respect to the protection of the public; repealing s. 548.073, F.S., relating to authorization for the commission to conduct hearings; amending s. 1002.33, F.S.; requiring that the decision by the State Board of Education directing a district school board to approve or deny an application for a charter school include written findings of fact; amending s. 1002.335, F.S.; requiring that the decision by the State Board of Education to grant a district school board exclusive authority to authorize charter schools within the school district include written findings of fact; requiring that a decision by the Florida Schools of Excellence Commission to deny an application for a charter school or revoke approval of a cosponsor of a charter school include written findings of fact; amending s. 1002.34, F.S.; requiring that the decision by the State Board of Education to approve or deny an application for a charter technical career center include written findings of fact; providing an effective date.

—was read the second time by title.

Senator Jones moved the following amendment which was adopted:

Amendment 1 (033336)(with title amendment)—On page 6, line 21 through page 7, line 8, delete those lines and redesignate subsequent sections.

And the title is amended as follows:

On page 1, lines 4-8, delete those lines.

Senator Rich moved the following amendment which was adopted:

Amendment 2 (083280)(with title amendment)—On page 35, line 27 through page 36, line 29, delete those lines and insert:

393.125 *Hearings on appeal of adverse agency action; rulemaking authority* ~~Hearing rights.~~—

(1) *Fair hearings related to issues before the Agency for Persons with Disabilities shall be held before the Division of Administrative Hearings.*

(2) *The agency shall adopt rules to establish guidelines for administrative hearings which are relevant to the termination, suspension, reduction, or denial of client services. The rules must ensure that the due process rights of the clients of the agency are consistent with Medicaid law. The rules shall also ensure that witnesses appearing on behalf of any party are permitted to appear by telephone or video teleconference.*

~~(1) REVIEW OF AGENCY DECISIONS.—~~

~~(a) Any developmental services applicant or client, or his or her parent, guardian, guardian advocate, or authorized representative, who~~

~~has any substantial interest determined by the agency, has the right to request an administrative hearing pursuant to ss. 120.569 and 120.57.~~

~~(b) Notice of the right to an administrative hearing shall be given, both verbally and in writing, to the applicant or client, and his or her parent, guardian, guardian advocate, or authorized representative, at the same time that the agency gives the applicant or client notice of the agency's action. The notice shall be given, both verbally and in writing, in the language of the client or applicant and in English.~~

~~(c) A request for a hearing under this section shall be made to the agency, in writing, within 30 days of the applicant's or client's receipt of the notice.~~

~~(3)(2) REVIEW OF PROVIDER DECISIONS.—The agency shall adopt rules to establish uniform procedures guidelines for the agency and service providers relevant to termination, suspension, or reduction of client services by the service provider. The rules shall ensure the due process rights of service providers and clients.~~

And the title is amended as follows:

On page 4, line 1, after the semicolon (;) insert: requiring that the rules ensure that the due process rights of the clients of the agency are consistent with Medicaid law;

Pursuant to Rule 4.19, **CS for SB 1970** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

SENATOR LYNN PRESIDING

By Senator Haridopolos—

SB 1024—A bill to be entitled An act relating to additional homestead exemption for certain persons 65 years of age and older; amending s. 196.075, F.S.; increasing the maximum amount of the additional homestead exemption that may be granted by a county or municipality; providing procedures for implementing the increased exemption for the 2007 tax year; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **SB 1024** to **CS for HB 333**.

Pending further consideration of **SB 1024** as amended, on motion by Senator Haridopolos, by two-thirds vote **CS for HB 333** was withdrawn from the Committees on Community Affairs; and Finance and Tax.

On motion by Senator Haridopolos—

CS for HB 333—A bill to be entitled An act relating to homestead exemption; amending s. 196.075, F.S.; revising the amount of the additional homestead exemption for low-income seniors in accordance with the amendment to s. 6(f), Art. VII of the State Constitution adopted at the 2006 general election; providing for adjustments for the 2007 tax roll only; providing for retroactive effect; providing an effective date.

—a companion measure, was substituted for **SB 1024** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 333** was placed on the calendar of Bills on Third Reading.

By Senator Haridopolos—

CS for CS for SB 1026—A bill to be entitled An act relating to the ad valorem taxation of homestead property; creating s. 196.082, F.S.; implementing s. (6)(g), Art. VII of the State Constitution; providing that certain disabled veterans must receive a discount from the amount of the ad valorem tax levied on their homestead property; providing conditions under which the discount applies; providing application procedures; imposing requirements upon a property appraiser who denies such an application; providing for an appeal to the value adjustment board; allowing reapplication in a subsequent year; providing requirements for the property appraiser in applying the discount; amending s. 196.011,

F.S.; authorizing the governing body of a county to waive the requirement that an annual application be made for a veteran's disability discount; requiring a veteran who receives such a discount to notify the property appraiser of any changes in the use of the property or in his or her degree of disability; providing penalties for noncompliance; providing for retroactivity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1026** was placed on the calendar of Bills on Third Reading.

By Senator Alexander—

CS for SB 1320—A bill to be entitled An act relating to trust funds; terminating specified trust funds within the Department of Revenue; providing for disposition of balances in and revenues of such trust funds; prescribing procedures for the termination of such trust funds; amending s. 17.43, F.S.; redesignating the Federal Equitable Sharing Trust Fund within the Department of Financial Services; amending s. 215.20, F.S., relating to the service charge on income of trust funds; conforming provisions to changes made by the act; amending ss. 538.09 and 538.25, F.S., relating to the deposit of registration fees from secondhand dealers and secondary metals recyclers; conforming provisions to changes made by the act; amending ss. 626.9893 and 932.7055, F.S.; redesignating the Federal Equitable Sharing Trust Fund within the Department of Financial Services; providing effective dates.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1320** was placed on the calendar of Bills on Third Reading.

By Senator Alexander—

SB 1322—A bill to be entitled An act relating to trust funds; creating the Operations Trust Fund within the Department of Revenue; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1322** was placed on the calendar of Bills on Third Reading.

By Senator Alexander—

SB 1324—A bill to be entitled An act relating to trust funds; creating the Federal Grants Trust Fund within the Department of Revenue; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1324** was placed on the calendar of Bills on Third Reading.

By Senator Alexander—

SB 2388—A bill to be entitled An act relating to trust funds; creating the Federal Grants Trust Fund within the Department of Environmental Protection; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2388** was placed on the calendar of Bills on Third Reading.

By Senator Alexander—

SB 2394—A bill to be entitled An act relating to trust funds; creating the Audit and Warrant Clearing Trust Fund within the Department of Revenue; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2394** was placed on the calendar of Bills on Third Reading.

By Senator Crist—

SB 1312—A bill to be entitled An act relating to trust funds; creating the Operating Trust Fund within the Department of Legal Affairs; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1312** was placed on the calendar of Bills on Third Reading.

By Senator Crist—

SB 1314—A bill to be entitled An act relating to trust funds; creating the Federal Grants Trust Fund within the Department of Legal Affairs; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1314** was placed on the calendar of Bills on Third Reading.

By Senator Crist—

SB 1316—A bill to be entitled An act relating to trust funds; creating the Federal Grants Trust Fund within the Department of Juvenile Justice; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1316** was placed on the calendar of Bills on Third Reading.

By Senator Fasano—

SB 1308—A bill to be entitled An act relating to trust funds; redesignating the Cooperative Agreement Trust Fund within the Department of Military Affairs; amending s. 250.175, F.S., relating to trust funds within the department; conforming provisions to changes made by the act; terminating a specified trust fund within the Department of Transportation; providing for disposition of balances in the trust fund; prescribing procedures for the termination of the trust fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1308** was placed on the calendar of Bills on Third Reading.

By Senator Fasano—

SB 1310—A bill to be entitled An act relating to trust funds; re-creating the Emergency Response Trust Fund within the Department of

Military Affairs; reenacting and amending s. 250.175(2), F.S., relating to the Emergency Response Trust Fund; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing for annual carryforward of funds; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1310** was placed on the calendar of Bills on Third Reading.

By Senator Fasano—

SB 1428—A bill to be entitled An act relating to trust funds; creating the Administrative Trust Fund within the Department of Transportation; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1428** was placed on the calendar of Bills on Third Reading.

By Senator Fasano—

CS for SB 1430—A bill to be entitled An act relating to trust funds; creating the Federal Grants Trust Fund within the Department of Highway Safety and Motor Vehicles; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1430** was placed on the calendar of Bills on Third Reading.

By Senator Wise—

SB 1326—A bill to be entitled An act relating to trust funds; re-creating the University Concurrency Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; repealing s. 1013.63(4), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1326** was placed on the calendar of Bills on Third Reading.

By Senator Wise—

CS for SB 1328—A bill to be entitled An act relating to trust funds; terminating specified trust funds within the Board of Governors of the State University System; providing for the disposition of balances in and revenues of such trust funds; prescribing procedures for the termination of such trust funds; amending s. 1011.94, F.S.; redesignating the Trust Fund for University Major Gifts as the “University Major Gifts Program”; providing the purpose of the program; providing for the use of funds; modifying specified trust funds within the Board of Governors of the State University System; providing an effective date.

—was read the second time by title.

Senator Lynn offered the following amendment which was moved by Senator Wise and adopted:

Amendment 1 (103164)(with title amendment)—On page 7, between lines 12 and 13, insert:

Section 4. Subsection (8) of section 267.173, Florida Statutes, is amended to read:

267.173 Historic preservation in West Florida; goals; contracts for historic preservation; powers and duties.—

(8) Notwithstanding any other provision of law, the University of West Florida and its direct-support organization are eligible to match state funds in the ~~Trust Fund~~ for University Major Gifts *Program* established pursuant to s. 1011.94.

Section 5. Paragraph (j) of subsection (2) of section 1004.45, Florida Statutes, is amended to read:

1004.45 Ringling Center for Cultural Arts.—

(2)

(j) Notwithstanding any other provision of law, the John and Mable Ringling Museum of Art direct-support organization is eligible to match state funds in the ~~Trust Fund~~ for University Major Gifts *Program* established pursuant to s. 1011.94 as follows:

1. For the first \$1,353,750, matching shall be on the basis of 75 cents in state matching for each dollar of private funds.

2. For additional funds, matching shall be provided on the same basis as is authorized in s. 1011.94.

Section 6. Subsections (1) and (2) of section 1009.74, Florida Statutes, are amended to read:

1009.74 The Theodore R. and Vivian M. Johnson Scholarship Program.—

(1) There is established the Theodore R. and Vivian M. Johnson Scholarship Program to be administered by the Department of Education. The program shall provide scholarships to students attending a state university. The program shall be funded by contributions from the Theodore R. and Vivian M. Johnson Scholarship Foundation and from state matching funds to be allocated from the ~~Trust Fund~~ for University Major Gifts *Program*.

(2) The amount to be allocated to the program shall be on the basis of a 50-percent match of funds from the ~~Trust Fund~~ for University Major Gifts *Program* for each contribution received from the Theodore R. and Vivian M. Johnson Scholarship Foundation. The funds allocated to the program, including the corpus and interest income, shall be expended for scholarships to benefit disabled students attending a state university.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 14, after the semicolon (;) insert: amending ss. 267.173, 1004.45, and 1009.74, F.S., relating to the University Major Gifts Program; conforming provisions to changes made by the act;

Pursuant to Rule 4.19, **CS for SB 1328** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Peaden—

SB 1318—A bill to be entitled An act relating to trust funds; terminating a specified trust fund within the Department of Veterans’ Affairs; providing for disposition of balances in and revenues of such trust fund; prescribing procedures for the termination of the trust fund; amending s. 17.61, F.S., relating to investments of trust fund moneys; deleting obsolete provisions; amending s. 20.435, F.S.; removing provisions providing for the future repeal of the Biomedical Research Trust Fund; providing an effective date.

—was read the second time by title.

Senator Peaden moved the following amendment which was adopted:

Amendment 1 (514032)(with title amendment)—On page 1, between lines 28 and 29, insert:

Section 2. Sections 295.18, 295.181, 295.182, 295.183, and 295.185, Florida Statutes, are repealed.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 7, following the semicolon (;) insert: repealing ss. 295.18, 295.181, 295.182, 295.183, 295.185, F.S., relating to the Florida World War II Veterans Memorial Act;

Pursuant to Rule 4.19, **SB 1318** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Wise—

CS for SB 1330—A bill to be entitled An act relating to trust funds; terminating specified trust funds within the Department of Education; providing for disposition of balances in and revenues of such trust funds; prescribing procedures for the termination of such trust funds; renaming the Educational Aids Trust Fund within the department; amending s. 1002.335, F.S., relating to the Florida Schools of Excellence Commission; conforming a reference; repealing ss. 1010.72, 1010.76, 1010.78, and 1012.72(5), F.S., relating to the Dale Hickam Excellent Teaching Program Trust Fund, the Educational Aids Trust Fund, and the Projects, Contracts, and Grants Trust Fund within the department; providing effective dates.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1330** was placed on the calendar of Bills on Third Reading.

By Senator Wise—

SB 1332—A bill to be entitled An act relating to trust funds; creating s. 1001.281, F.S.; creating the Operating Trust Fund within the Department of Education; providing for sources of funds and purposes; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1332** was placed on the calendar of Bills on Third Reading.

By Senator Wise—

SB 1334—A bill to be entitled An act relating to trust funds; creating s. 1001.282, F.S.; creating the Administrative Trust Fund within the Department of Education; providing for sources of funds and purposes; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1334** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 1014** was deferred.

On motion by Senator King, by two-thirds vote **HB 7007** was withdrawn from the Committee on Rules.

On motion by Senator King—

HB 7007—A reviser's bill to be entitled An act relating to the official Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S.; adopting the Florida Statutes 2007 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 2007 shall be effective immediately upon publication; providing that general laws enacted during the 2006 regular session and prior thereto and not included in the Florida Statutes 2007 are repealed; providing that general laws enacted during the January 16-22,

2007, special session and the 2007 regular session are not repealed by this adoption act.

—a companion measure, was substituted for **SB 2286** and read the second time by title.

Pursuant to Rule 4.19, **HB 7007** was placed on the calendar of Bills on Third Reading.

On motion by Senator King, by two-thirds vote **HB 7005** was withdrawn from the Committee on Rules.

On motion by Senator King—

HB 7005—A reviser's bill to be entitled An act relating to the Florida Statutes; repealing ss. 29.0086, 29.014, 120.551, 215.18(2), 216.181(17), 218.503(6), 253.034(6)(f)2., 287.057(14)(b) and (25), 339.135(8), 375.041(6), 394.76(3)(b)2., 402.305(2)(g), 420.0005(2), 420.36(4)(d), 497.161(1)(g), 499.0051(2)(a), 499.0121(6)(d) and (e), and 1004.065, F.S., all of which provisions have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), may be omitted from the 2007 Florida Statutes only through a reviser's bill duly enacted by the Legislature; amending s. 29.008, F.S., to conform to the repeal of s. 29.0086, F.S.; and amending ss. 499.003, 499.005, 499.012, 499.0121, 499.01211, 499.0122, 499.014, and 499.051, F.S., to conform to the repeal of s. 499.0121(6)(d) and (e), F.S.; providing an effective date.

—a companion measure, was substituted for **SB 2284** and read the second time by title.

Pursuant to Rule 4.19, **HB 7005** was placed on the calendar of Bills on Third Reading.

On motion by Senator King, by two-thirds vote **HB 7003** was withdrawn from the Committee on Rules.

On motion by Senator King—

HB 7003—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 11.0451, 39.5085, 39.6013, 39.6221, 61.076, 63.032, 110.1155, 112.32151, 163.370, 166.271, 171.205, 189.4155, 195.096, 196.012, 201.0205, 202.24, 205.1975, 212.08, 213.053, 213.0535, 215.82, 218.64, 220.181, 220.183, 250.01, 250.82, 250.84, 252.35, 255.25001, 259.1053, 260.016, 287.0574, 288.039, 288.1045, 288.106, 288.90151, 290.0057, 290.0072, 320.77, 322.2615, 328.64, 331.312, 331.313, 331.316, 331.319, 331.324, 336.68, 341.840, 366.93, 370.063, 375.065, 376.30, 376.301, 376.303, 376.305, 376.307, 376.3071, 376.3075, 376.30781, 376.3079, 376.308, 376.309, 376.313, 376.315, 376.317, 376.82, 376.84, 380.06, 380.23, 381.028, 400.0073, 400.0074, 400.0075, 400.506, 402.164, 403.091, 403.5175, 403.526, 403.5271, 403.528, 403.7043, 403.708, 408.036, 408.802, 408.803, 408.806, 408.820, 408.832, 409.1685, 409.221, 409.908, 409.912, 409.91211, 419.001, 421.49, 429.07, 429.35, 429.69, 429.73, 429.903, 429.909, 429.915, 429.919, 435.03, 435.04, 456.072, 458.348, 458.3485, 459.025, 482.242, 483.285, 489.127, 489.128, 489.131, 489.532, 497.461, 499.029, 500.511, 501.016, 501.143, 501.160, 509.233, 516.05, 551.101, 559.939, 607.0130, 607.193, 620.2113, 620.2118, 620.8911, 624.5105, 626.022, 626.171, 626.935, 626.9912, 627.351, 627.6617, 633.0245, 679.4031, 679.707, 727.109, 736.1001, 736.1209, 743.09, 775.21, 794.056, 817.36, 827.06, 847.001, 849.09, 849.15, 921.0022, 933.07, 943.0435, 943.325, 944.606, 944.607, 984.19, 985.483, 985.565, 1001.25, 1001.73, 1002.01, 1002.20, 1002.335, 1003.51, 1004.28, 1008.33, 1008.345, 1011.62, 1011.71, 1012.21, 1012.22, 1013.11, and 1013.721, F.S.; reenacting and amending s. 215.559, F.S.; reenacting ss. 316.006 and 1008.22, F.S.; and repealing ss. 253.421, 253.422, 288.1231, 288.1232, 288.1233, 288.1235, 288.1236, 288.1237, and 947.022, F.S.; pursuant to s. 11.242, F.S.; deleting provisions that have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; confirming the restoration of provisions unintentionally omitted from republication in the acts of the Legislature during the amendatory process; and conforming to the directive of the Legislature in s. 1, ch. 93-199, Laws of Florida, to remove gender-specific references applicable to

human beings from the Florida Statutes without substantive change in legal effect; providing an effective date.

—a companion measure, was substituted for **SB 2288** and read the second time by title.

Pursuant to Rule 4.19, **HB 7003** was placed on the calendar of Bills on Third Reading.

On motion by Senator King, by two-thirds vote **HCR 7011** was withdrawn from the Committee on Rules.

On motion by Senator King—

HCR 7011—A concurrent resolution adopting the Joint Rules of the Florida Legislature and amending Joint Rule One, relating to lobbyist registration and compensation reporting, and Joint Rule Seven, relating to the organization and duties of the Legislative Budget Commission.

WHEREAS, chapter 2005-359, Laws of Florida, established lobbyist compensation reporting, and further provided for electronic filing of compensation reports and other information effective April 1, 2007, and

WHEREAS, in the 2006 general election, the electors of Florida amended Section 19 of Article III of the Constitution of Florida to create within the Legislature the Joint Legislative Budget Commission, and

WHEREAS, Section 19, as so amended, provides that the Joint Legislative Budget Commission shall be governed by the Joint Rules of the Senate and the House of Representatives, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida, the Senate Concurring:

That the Joint Rules of the Florida Legislature are revised and readopted to read as follows:

JOINT RULES
JOINT RULE ONE

LOBBYIST REGISTRATION AND COMPENSATION REPORTING

1.1—Those Required to Register; Exemptions; Committee Appearance Records

(1) All lobbyists before the Florida Legislature must register with the Lobbyist Registration Office in the Division of Legislative Information Services of the Office of Legislative Services. Registration is required for each principal represented.

(2) As used in Joint Rule One, unless the context otherwise requires:

(a) “Compensation” means payment, distribution, loan, advance, reimbursement, deposit, salary, fee, retainer, or anything of value provided or owed to a lobbying firm, directly or indirectly, by a principal for any lobbying activity.

(b) “Division” means the Division of Legislative Information Services within the Office of Legislative Services.

(c) “Legislative action” means introduction, sponsorship, testimony, debate, voting, or any other official action on any measure, resolution, amendment, nomination, appointment, or report of, or any matter that may be the subject of action by, either house of the Legislature or any committee thereof.

(d) “Lobby” or “lobbying” means influencing or attempting to influence legislative action or nonaction through oral or written communication or an attempt to obtain the goodwill of a member or employee of the Legislature.

(e) “Lobbying firm” means any business entity, including an individual contract lobbyist, that receives or becomes entitled to receive any compensation for the purpose of lobbying, and where any partner, owner, officer, or employee of the business entity is a lobbyist. “Lobbying firm” does not include an entity that has employees who are lobbyists if the entity does not derive compensation from principals for lobbying, or such compensation is received exclusively from a subsidiary or affiliate corporation of the employer. *As used in this paragraph, an affiliate*

corporation is a corporation that directly or indirectly shares the same ultimate parent corporation as the employer and does not receive compensation for lobbying from any unaffiliated entity.

(f) “Lobbyist” means a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity. An employee of the principal is not a “lobbyist” unless the employee is principally employed for governmental affairs. “Principally employed for governmental affairs” means that one of the principal or most significant responsibilities of the employee to the employer is overseeing the employer’s various relationships with government or representing the employer in its contacts with government. Any person employed by the Governor, the Executive Office of the Governor, or any executive or judicial department of the state or any community college of the state who seeks to encourage the passage, defeat, or modification of any legislation by personal appearance or attendance before the House of Representatives or the Senate, or any member or committee thereof, is a lobbyist.

(g) “Payment” or “salary” means wages or any other consideration provided in exchange for services, but does not include reimbursement for expenses.

(h) “Principal” means the person, firm, corporation, or other entity that has employed or retained a lobbyist. When an association has employed or retained a lobbyist, the association is the principal; the individual members of the association are not principals merely because of their membership in the association.

(i) “Unusual circumstances,” with respect to any failure of a person to satisfy a filing requirement, means uncommon, rare, or sudden events over which the person has no control and which directly result in the failure to satisfy the filing requirement.

(3) For purposes of this rule, the terms “lobby” and “lobbying” do not include any of the following:

(a) Response to an inquiry for information made by any member, committee, or staff of the Legislature.

(b) An appearance in response to a legislative subpoena.

(c) Advice or services that arise out of a contractual obligation with the Legislature, a member, a committee, any staff, or any legislative entity to render the advice or services where such obligation is fulfilled through the use of public funds.

(d) Representation of a client before the House of Representatives or the Senate, or any member or committee thereof, when the client is subject to disciplinary action by the House of Representatives or the Senate, or any member or committee thereof.

(4) For purposes of registration and reporting, the term “lobbyist” does not include any of the following:

(a) A member of the Legislature.

(b) A person who is employed by the Legislature.

(c) A judge who is acting in that judge’s official capacity.

(d) A person who is a state officer holding elective office or an officer of a political subdivision of the state holding elective office and who is acting in that officer’s official capacity.

(e) A person who appears as a witness or for the purpose of providing information at the written request of the chair of a committee, subcommittee, or legislative delegation.

(f) A person employed by any executive or judicial department of the state or any community college of the state who makes a personal appearance or attendance before the House of Representatives or the Senate, or any member or committee thereof, while that person is on approved leave or outside normal working hours, and who does not otherwise meet the definition of lobbyist.

(5) When a person, whether or not the person is registered as a lobbyist, appears before a committee of the Legislature, that person

must submit a Committee Appearance Record as required by the respective house.

1.2—Method of Registration

(1) Each person who is required to register must register on forms furnished by the Lobbyist Registration Office, on which that person must state, under oath, that person’s full legal name, business address, and telephone number, the name and business address of each principal that person represents, and the extent of any direct business association or partnership that person has with any member of the Legislature. In addition, if the lobbyist is a partner, owner, officer, or employee of a lobbying firm, the lobbyist must state the name, address, ~~Federal Employer’s Identification Number (FEIN), contact name,~~ and telephone number of each lobbying firm to which the lobbyist belongs. The Lobbyist Registration Office or its designee is authorized to acknowledge the oath of any person who registers in person. Any changes to the information provided in the registration form must be reported to the Lobbyist Registration Office in writing within 15 days on forms furnished by the Lobbyist Registration Office.

(2) Any person required to register must do so with respect to each principal prior to commencement of lobbying on behalf of that principal. At the time of registration, the registrant shall provide a statement on a form provided by the Lobbyist Registration Office, signed by the principal or principal’s representative, that the registrant is authorized to represent the principal. On the authorization statement the principal or principal’s representative shall also identify and designate the principal’s main business pursuant to a classification system approved by the Office of Legislative Services that shall be the North American Industry Classification System (NAICS) six-digit numerical code that most accurately describes the principal’s main business.

(3) Any person required to register must renew the registration annually for each calendar year.

(4) A lobbyist shall promptly send a notice to the Lobbyist Registration Office, on forms furnished by the Lobbyist Registration Office, canceling the registration for a principal upon termination of the lobbyist’s representation of that principal. A notice of cancellation takes effect the day it is received by the Lobbyist Registration Office. Notwithstanding this requirement, the Lobbyist Registration Office may remove the name of a lobbyist from the list of registered lobbyists if the principal notifies the Lobbyist Registration Office that the lobbyist is no longer authorized to represent that principal.

~~(5) The Lobbyist Registration Office shall publish on the first Monday of each regular session and weekly thereafter through the end of that session a compilation of the names of persons who have registered and the information contained in their registrations.~~

(5)(6) The Lobbyist Registration Office shall retain all original registration documents submitted under this rule.

~~(6)(7)~~ A person who is required to register under this rule, or who chooses to register, shall be considered a lobbyist of the Legislature for the purposes of sections 11.045, 112.3148, and 112.3149, Florida Statutes.

1.3—Registration Costs; Exemptions

(1) To cover the costs incurred in administering this joint policy, each person who registers under Joint Senate and House Rule 1.1 must pay an annual registration fee to the Lobbyist Registration Office. The annual period runs from January 1 to December 31. These fees must be paid at the time of registration.

(2) The following persons are exempt from paying the fee, provided they are designated in writing by the agency head or person designated in this subsection:

- (a) Two employees of each department of the executive branch created under chapter 20, Florida Statutes.
- (b) Two employees of the Fish and Wildlife Conservation Commission.
- (c) Two employees of the Executive Office of the Governor.

- (d) Two employees of the Commission on Ethics.
- (e) Two employees of the Florida Public Service Commission.
- (f) Two employees of the judicial branch designated in writing by the Chief Justice of the Florida Supreme Court.

(3) The annual fee is up to \$50 per each house for a person to register to represent one principal and up to an additional \$10 per house for each additional principal that the person registers to represent. The amount of each fee shall be established annually by the President of the Senate and the Speaker of the House of Representatives. The fees set shall be adequate to ensure operation of the lobbyist registration and reporting operations of the Lobbyist Registration Office. The fees collected by the Lobbyist Registration Office under this joint policy shall be deposited in the State Treasury and credited to the Legislative Lobbyist Registration Trust Fund specifically to cover the costs incurred in administering this joint policy.

1.4—Reporting of Lobbying Firm Compensation

(1)(a) Each lobbying firm shall file a compensation report with the division for each calendar quarter during any portion of which one or more of the firm’s lobbyists were registered to represent a principal. The report shall include the:

- 1. Full name, business address, and telephone number of the lobbying firm;
- 2. Registration name of each of the firm’s lobbyists; and
- 3. Total compensation provided or owed to the lobbying firm from all principals for the reporting period, reported in one of the following categories: \$0; \$1 to \$49,999; \$50,000 to \$99,999; \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to \$999,999; \$1 million or more.

(b) For each principal represented by one or more of the firm’s lobbyists, the lobbying firm’s compensation report shall also include the:

- 1. Full name, business address, and telephone number of the principal; and
- 2. Total compensation provided or owed to the lobbying firm for the reporting period, reported in one of the following categories: \$0; \$1 to \$9,999; \$10,000 to \$19,999; \$20,000 to \$29,999; \$30,000 to \$39,999; \$40,000 to \$49,999; or \$50,000 or more. If the category “\$50,000 or more” is selected, the specific dollar amount of compensation must be reported, rounded up or down to the nearest \$1,000.

(c) If the lobbying firm subcontracts work from another lobbying firm and not from the original principal:

- 1. The lobbying firm providing the work to be subcontracted shall be treated as the reporting lobbying firm’s principal for reporting purposes under this paragraph; and
- 2. The reporting lobbying firm shall, for each lobbying firm identified as the reporting lobbying firm’s principal under paragraph (b), identify the name and address of the principal originating the lobbying work.

(d) The senior partner, officer, or owner of the lobbying firm shall certify to the veracity and completeness of the information submitted pursuant to this Rule 1.4, and certify that no compensation has been omitted from this report by deeming such compensation as “consulting services,” “media services,” “professional services,” or anything other than compensation, and certify that no officer or employee of the firm has made an expenditure in violation of section 11.045, Florida Statutes, as amended by chapter 2005-359, Laws of Florida.

(2) For each principal represented by more than one lobbying firm, the division shall aggregate the reporting-period and calendar-year compensation reported as provided or owed by the principal. Compensation reported within a category shall be aggregated as follows: ~~the arithmetic mean of the category.~~

<i>Category (dollars)</i>	<i>Dollar amount to use aggregating</i>
0	\$ 0
1-9,999	5,000

10,000-19,999	15,000
20,000-29,999	25,000
30,000-39,999	35,000
40,000-49,999	45,000
\$50,000 or more	<i>Actual amount reported</i>

(3) The reporting statements shall be filed no later than 45 days after the end of each reporting period. The four reporting periods are from January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31, respectively. The statements shall be rendered in the identical form provided by the respective houses and shall be open to public inspection. *Effective April 1, 2007, reporting statements shall may be filed by electronic means through the electronic filing system developed by the division, conforming to subsection (4), when feasible.*

(4) *The electronic filing system for compensation reporting shall include the following:*

(a) *As used in this rule, the term "electronic filing system" means an Internet system for recording and reporting lobbying compensation and other required information by reporting period.*

(b) *A report filed pursuant to this Rule 1.4 must be completed and filed through the electronic filing system not later than 11:59 p.m. of the day designated in subsection (3). A report not filed by 11:59 p.m. of the day designated is a late-filed report and is subject to the penalties under Rule 1.5(1).*

(c) *Each person given secure sign-on credentials to file via the electronic filing system is responsible for protecting the credentials from disclosure and is responsible for all filings made by use of such credentials, unless and until the division is notified that the person's credentials have been compromised. Each report filed by electronic means pursuant to this section shall be deemed certified in accordance with paragraph (1)(d) by the person given the secure sign-on credentials and, as such, subjects the person and the lobbying firm to the provisions of s. 11.045(8), Florida Statutes, as well as any discipline provided under the rules of the Senate or House of Representatives.*

(d) *The electronic filing system shall:*

1. *Be based on access by means of the Internet.*
2. *Be accessible by anyone with Internet access using standard web-browsing software.*
3. *Provide for direct entry of compensation-report information as well as upload of such information from software authorized by the division.*
4. *Provide a method that prevents unauthorized access to electronic filing system functions.*
5. *Provide for the issuance of an electronic receipt to the person submitting the report indicating and verifying the date and time that the report was filed.*

(5) *The division shall provide reasonable public notice of the electronic filing procedures and of any significant changes in such procedures. In the event that the President of the Senate and the Speaker of the House of Representatives jointly declare the electronic system to be not operable, the reports shall be filed in the manner required prior to April 1, 2007, unless the President of the Senate and the Speaker of the House of Representatives direct use of an alternate means of reporting. The division shall develop and maintain such alternative means as may be practicable. Public notice of changes in filing procedures and any declaration or direction of the President of the Senate and the Speaker of the House of Representatives may be provided by publication for a continuous period of reasonable time on one or more Internet websites maintained by the Senate and the House of Representatives.*

(6)(4) *Prior to April 1, 2007, reports must shall be filed no later than 5 p.m. of the report due date. However, any report that is postmarked by the United States Postal Service no later than midnight of the due date shall be deemed to have been filed in a timely manner, and a certificate of mailing obtained from and dated by the United States Postal Service at the time of the mailing, or a receipt from an established*

courier company that bears a date on or before the due date, shall be proof of mailing in a timely manner.

1.5—*Failure to File Timely Compensation Report; Notice and Assessment of Fines; Appeals*

(1) Upon determining that the report is late, the person designated to review the timeliness of reports shall immediately notify the lobbying firm as to the failure to timely file the report and that a fine is being assessed for each late day. The fine shall be \$50 per day per report for each late day, not to exceed \$5,000 per report.

(2)(a) *Effective April 1, 2007, upon receipt of the report, the person designated to review the timeliness of reports shall determine the amount of the fine based on when the report is actually received by the division or when the electronic receipt issued by the electronic filing system is dated, whichever is earlier.*

(b) *Prior to April 1, 2007, upon receipt of the report, the person designated to review the timeliness of reports shall determine the amount of the fine due based upon the earliest of the following:*

- 1.(a) *When a report is actually received by the division.*
- 2.(b) *When the report is postmarked.*
- 3.(e) *When the certificate of mailing is dated.*
- 4.(d) *When the receipt from an established courier company is dated.*

(3) Such fine shall be paid within 30 days after the notice of payment due is transmitted by the person designated to review the timeliness of reports, unless appeal is made to the division. The moneys shall be deposited into the Legislative Lobbyist Registration Trust Fund.

(4) A fine shall not be assessed against a lobbying firm the first time the report for which the lobbying firm is responsible is not timely filed. However, to receive the one-time fine waiver, the report for which the lobbying firm is responsible must be filed within 30 days after notice that the report has not been timely filed is transmitted by the person designated to review the timeliness of reports. A fine shall be assessed for any subsequent late-filed reports.

(5) Any lobbying firm may appeal or dispute a fine, based upon unusual circumstances surrounding the failure to file on the designated due date, and may request and shall be entitled to a hearing before the General Counsel of the Office of Legislative Services, who shall recommend to the President of the Senate and the Speaker of the House of Representatives, or their respective designees, that the fine be waived in whole or in part for good cause shown. The President of the Senate and the Speaker of the House of Representatives, or their respective designees, may by joint agreement concur in the recommendation and waive the fine in whole or in part. Any such request shall be made within 30 days after the notice of payment due is transmitted by the person designated to review the timeliness of reports. In such case, the lobbying firm shall, within the 30-day period, notify the person designated to review the timeliness of reports in writing of his or her intention to request a hearing.

(6) A lobbying firm may request that the filing of a report be waived upon good cause shown, based on unusual circumstances. The request must be filed with the General Counsel of the Office of Legislative Services, who shall make a recommendation concerning the waiver request to the President of the Senate and the Speaker of the House of Representatives. The President of the Senate and the Speaker of the House of Representatives may, by joint agreement, grant or deny the request.

(7)(a) All lobbyist registrations for lobbyists who are partners, owners, officers, or employees of a lobbying firm that fails to timely pay a fine are automatically suspended until the fine is paid or waived, and the division shall promptly notify all affected principals and the President of the Senate and the Speaker of the House of Representatives of any suspension or reinstatement. All lobbyists who are partners, owners, officers, or employees of a lobbying firm are jointly and severally liable for any outstanding fine owed by a lobbying firm.

(b) No such lobbyist may be reinstated in any capacity representing any principal until the fine is paid or until the fine is waived as to that lobbyist. A suspended lobbyist may request a waiver upon good cause

shown, based on unusual circumstances. The request must be filed with the General Counsel of the Office of Legislative Services who shall, as soon as practicable, make a recommendation concerning the waiver request to the President of the Senate and the Speaker of the House of Representatives. The President of the Senate and the Speaker of the House of Representatives may, by joint agreement, grant or deny the request.

(8) The person designated to review the timeliness of reports shall notify the director of the division of the failure of a lobbying firm to file a report after notice or of the failure of a lobbying firm to pay the fine imposed.

1.6—Open Records; Internet Publication of Registrations and Compensation Reports

(1) All of the lobbyist registration forms and compensation reports received by the Lobbyist Registration Office shall be available for public inspection and for duplication at reasonable cost.

(2) The division shall make information filed pursuant to Rules 1.2 and 1.4 reasonably available on the Internet in an easily understandable and accessible format. The Internet website shall include, but not be limited to, the names and business addresses of lobbyists, lobbying firms, and principals, the affiliations between lobbyists and principals, and the classification system designated and identified with respect to principals pursuant to Rule 1.2.

1.7—Records Retention and Inspection and Complaint Procedure

(1) Each lobbying firm and each principal shall preserve for a period of 4 years all accounts, bills, receipts, computer records, books, papers, and other documents and records necessary to substantiate compensation reports.

(2) Upon receipt of a complaint based upon the personal knowledge of the complainant made pursuant to the Senate Rules or Rules of the House of Representatives, any such documents and records may be inspected when authorized by the President of the Senate or the Speaker of the House of Representatives, as applicable. The person authorized to perform the inspection shall be designated in writing and shall be a member of The Florida Bar or a certified public accountant licensed in Florida. Any information obtained by such an inspection may only be used for purposes authorized by law, this Joint Rule One, Senate Rules, or Rules of the House of Representatives, which purposes may include the imposition of sanctions against a person subject to this rule or Senate Rules or the Rules of the House of Representatives. Any employee who uses that information for an unauthorized purpose is subject to discipline. Any member who uses that information for an unauthorized purpose is subject to discipline under the applicable rules of each house.

(3) The right of inspection may be enforced by appropriate writ issued by any court of competent jurisdiction.

1.8—Questions Regarding Interpretation of this Joint Rule One

(1) A person may request in writing an informal opinion from the General Counsel of the Office of Legislative Services as to the application of this Joint Rule One to a specific situation. The General Counsel shall issue the opinion within 10 days after receiving the request. The informal opinion may be relied upon by the person who requested the informal opinion. A copy of each informal opinion that is issued shall be provided to the presiding officer of each house. A committee of either house designated pursuant to section 11.045(5), Florida Statutes, may revise any informal opinion rendered by the General Counsel through an advisory opinion to the person who requested the informal opinion. The advisory opinion shall supersede the informal opinion as of the date the advisory opinion is issued.

(2) Persons in doubt about the applicability or interpretation of this Joint Rule One may submit in writing the facts for an advisory opinion to the committee of either house designated pursuant to section 11.045(5), Florida Statutes, and may appear in person before the committee in accordance with section 11.045(5), Florida Statutes.

1.9—Effect of Readoption and Revision

All obligations existing under Joint Rule One as of the last day of the previous legislative biennium are hereby ratified, preserved, and reimposed pursuant to the terms thereof as of that date. The provisions of

Joint Rule One are imposed retroactively to the first day of the present legislative biennium except that provisions new to this revision are effective on the date of adoption or as otherwise expressly provided herein.

1.9—Effect of Former Joint Rule One

Every fine and penalty finally due and owing on or before December 31, 2005, under the Rules of the Senate or the House of Representatives or under former Joint Rules 1.1-1.9, with no appeal pending under such rules, is hereby ratified and preserved and shall be collected as previously finally determined. Every other obligation under former Joint Rule One, rescinded upon adoption of this Joint Rule One, is hereby waived and abolished. The obligations under Joint Rules 1.1, 1.2, and 1.3 are to be enforced retroactively to January 1, 2006, provided that substantial compliance with the provisions of former Joint Rules 1.1, 1.2, and 1.3 on or before the effective date of this Joint Rule One shall be deemed to be in compliance with any retroactive requirements of this Joint Rule One.

JOINT RULE TWO

GENERAL APPROPRIATIONS BILL

2.1—General Appropriations Bill; Review Period

(1) A general appropriations bill shall be subject to a 72-hour public review period before a vote is taken on final passage of the bill in the form that will be presented to the Governor.

(2) If a bill is returned to the house in which the bill originated and the originating house does not concur in all the amendments or adds additional amendments, no further action shall be taken on the bill by the nonoriginating house, and a conference committee shall be established by operation of this rule to consider the bill.

(3) If a bill is referred to a conference committee by operation of this rule, a 72-hour public review period shall be provided prior to a vote being taken on the conference committee report by either house.

(4) A copy of the bill, a copy of the bill with amendments adopted by the nonoriginating house, or the conference committee report shall be furnished to each member of the Legislature, the Governor, the Chief Justice of the Supreme Court, and each member of the Cabinet. Copies for the Governor, Chief Justice and members of the Cabinet shall be furnished to the official's office in the Capitol or Supreme Court Building. A member's copy shall be furnished to the member's desk in the appropriate chamber. The Secretary of the Senate shall be responsible for furnishing copies under this rule for Senate bills, House bills as amended by the Senate, and conference committee reports on Senate bills. The Clerk of the House shall be responsible for furnishing copies under this rule for House bills, Senate bills as amended by the House, and conference committee reports on House bills.

(5) The 72-hour public review period shall begin to run upon completion of the furnishing of copies required to be provided herein. The Speaker of the House and the President of the Senate, as appropriate, shall be informed of the completion time and such time shall be announced on the floor prior to vote on final passage in each house and shall be entered in the journal of each house. Saturdays, Sundays, and holidays shall be included in the computation under this rule.

2.2—General Appropriations Bill; Definition

For the purposes of Joint Rule 2, the term "general appropriations bill" means a bill which provides for the salaries of public officers and other current expenses of the state and contains no subject other than appropriations. A bill which contains appropriations which are incidental and necessary solely to implement a substantive law is not included within this term.

JOINT RULE THREE

LEGISLATIVE SUPPORT SERVICES

3.1—Organizational Structure

The Legislature shall be supported by the Office of Legislative Services, the Office of Legislative Information Technology Services, and the Office of Economic and Demographic Research. These offices shall provide support services that are determined by the President of the Senate and the Speaker of the House of Representatives to be necessary and that can be effectively provided jointly to both houses and other units of

the Legislature. Each office shall be directed by a coordinator selected by the President of the Senate and the Speaker of the House of Representatives.

(1) The Office of Legislative Services shall provide legislative support services other than those prescribed in subsections (2) and (3). The Division of Statutory Revision and the Division of Legislative Information shall be two of the divisions within the Office of Legislative Services.

(2) The Office of Legislative Information Technology Services shall provide support services to assist the Legislature in achieving its objectives through the application of cost-effective information technology.

(3) The Office of Economic and Demographic Research shall provide research support services, principally regarding forecasting economic and social trends that affect policymaking, revenue, and appropriations.

3.2—Policies

The President of the Senate and the Speaker of the House of Representatives shall jointly adopt policies they consider advisable to carry out the functions of the Legislature.

JOINT RULE FOUR

JOINT LEGISLATIVE AUDITING COMMITTEE

4.1—Responsibilities

(1) On or before December 31 of the year following each decennial census, the Legislative Auditing Committee shall review the performance of the Auditor General and shall submit a report to the Legislature which recommends whether the Auditor General should continue to serve in office.

(2) The expenses of the members of the committee shall be approved by the chair of the committee and paid from the appropriation for legislative expense.

(3) The committee shall submit to the President of the Senate and the Speaker of the House of Representatives, for approval, an estimate of the financial needs of the committee, the Auditor General, and the Office of Program Policy Analysis and Government Accountability, and the Public Counsel.

(4) The committee and the units it oversees, including the Auditor General, the Office of Program Policy Analysis and Government Accountability, and the Public Counsel, shall submit their budget requests and operating budgets to the President of the Senate and the Speaker of the House of Representatives for prior written approval by the presiding officers acting together.

(5) The committee may receive requests for audits and reviews from legislators. Staff of the committee shall review each request and make a recommendation to the committee concerning its disposition. The manner of disposition recommended may be:

(a) Assignment to the Auditor General for inclusion in a regularly scheduled agency audit;

(b) Assignment to the Auditor General for special audit or review;

(c) Assignment to the Office of Program Policy Analysis and Government Accountability for inclusion in a regularly scheduled performance audit;

(d) Assignment to the Office of Program Policy Analysis and Government Accountability for special audit or review;

(e) Assignment to committee staff; or

(f) Rejection as being an unnecessary or inappropriate application of legislative resources.

(6) The committee may at any time, without regard to whether the Legislature is in session, take under investigation any matter within the scope of an audit either completed or then being conducted by the Auditor General or the Office of Program Policy Analysis and Government Accountability, and in connection with such investigation may exercise the powers of subpoena by law vested in a standing committee of the Legislature.

(7) The committee shall review the performance of the director of the Office of Program Policy Analysis and Government Accountability every 4 years and shall submit a report to the Legislature recommending whether the director should be reappointed. A vacancy in the office must be filled in the same manner as the original appointment.

JOINT RULE FIVE

AUDITOR GENERAL

5.1—Rulemaking authority

The Auditor General shall make and enforce reasonable rules and regulations necessary to facilitate audits that he or she is authorized to perform.

5.2—Budget and accounting

(1) The Auditor General shall prepare and submit annually to the President of the Senate and the Speaker of the House of Representatives for their joint approval a proposed budget for the ensuing fiscal year.

(2) Within the limitations of the approved operating budget, the salaries and expenses of the Auditor General and the staff of the Auditor General shall be paid from the appropriation for legislative expense or any other moneys appropriated by the Legislature for that purpose. The Auditor General shall approve all bills for salaries and expenses for his or her staff before the same shall be paid.

5.3—Audit report distribution

(1) A copy of each audit report shall be submitted to the Governor, to the Comptroller, and to the officer or person in charge of the state agency or political subdivision audited. One copy shall be filed as a permanent public record in the office of the Auditor General. In the case of county reports, one copy of the report of each county office, school district, or other district audited shall be submitted to the board of county commissioners of the county in which the audit was made and shall be filed in the office of the clerk of the circuit court of that county as a public record. When an audit is made of the records of the district school board, a copy of the audit report shall also be filed with the district school board, and thereupon such report shall become a part of the public records of such board.

(2) A copy of each audit report shall be made available to each member of the Legislative Auditing Committee.

(3) The Auditor General shall transmit a copy of each audit report to the appropriate substantive and fiscal committees of the Senate and House of Representatives.

(4) Other copies may be furnished to other persons who, as in the opinion of the Auditor General, are directly interested in the audit or who have a duty to perform in connection therewith.

(5) The Auditor General shall transmit to the President of the Senate and the Speaker of the House of Representatives, by December 1 of each year, a list of statutory and fiscal changes recommended by audit reports. The recommendations shall be presented in two categories: one addressing substantive law and policy issues and the other addressing budget issues. The Auditor General may also transmit recommendations at other times of the year when the information would be timely and useful for the Legislature.

JOINT RULE SIX

OFFICE OF PROGRAM POLICY

ANALYSIS AND GOVERNMENT ACCOUNTABILITY

6.1—Responsibilities of the director

(1) The director may adopt and enforce reasonable rules necessary to facilitate the studies, reviews, and reports that the office is authorized to perform.

(2) The director shall prepare and submit annually to the President of the Senate and the Speaker of the House of Representatives for their joint approval the annual projected work plan of the office in conjunction with a proposed operating budget for the ensuing fiscal year.

(3) Within the monetary limitations of the approved operating budget, the salaries and expenses of the director and the staff of the Office of Program Policy Analysis and Government Accountability shall be paid from the appropriation for legislative expense or any other moneys appropriated by the Legislature for that purpose. The director shall approve all bills for salaries and expenses before the same shall be paid.

(4) Within the monetary limitations of the approved operating budget, the director shall make all spending decisions, including entering into contracts on behalf of the Office of Program Policy Analysis and Government Accountability.

(5) The director shall transmit to the President of the Senate and the Speaker of the House of Representatives, by December 1 of each year, a list of statutory and fiscal changes recommended by office reports. The recommendations shall be presented in two categories: one addressing substantive law and policy issues and the other addressing budget issues. The director may also transmit recommendations at other times of the year when the information would be timely and useful for the Legislature.

JOINT RULE SEVEN

JOINT LEGISLATIVE BUDGET COMMISSION

7.1—General Responsibilities

(1) The commission, as provided in chapter 216, Florida Statutes, shall receive and review notices of budget and personnel actions and proposed actions taken or to be taken by the executive and judicial branches and shall approve or disapprove such actions.

(2) Through the *chairperson* ~~chairman~~, the commission shall advise the Governor and the Chief Justice of actions or proposed actions that exceed delegated authority or that are contrary to legislative policy and intent.

(3) To the extent possible, the commission shall inform members of the Legislature of budget amendments requested by the executive or judicial branches.

(4) The commission shall consult with the *Chief Financial Officer* ~~Comptroller~~ and the Executive Office of the Governor on matters as required by chapter 216, Florida Statutes.

(5) The President of the Senate and the Speaker of the House of Representatives may jointly assign other responsibilities to the commission in addition to those assigned by law.

(6) The commission shall develop policies and procedures necessary to carry out its assigned responsibilities.

(7) The commission, with the approval of the President of the Senate and the Speaker of the House of Representatives, may appoint subcommittees as necessary to facilitate its work.

7.2—Zero-based Budgeting

~~(1) The commission shall develop a schedule and apply zero-based budgeting principles in reviewing the budget of each state agency at least once every 8 years.~~

~~(2) By July 1 of each year, the commission shall issue instructions to the agencies whose budgets are to be reviewed prior to the next legislative session.~~

~~(3) The commission shall provide these reviews to the President of the Senate and the Speaker of the House of Representatives by December 31 of the year in which they are completed.~~

~~(4) By February 1, 2001, the commission shall provide to the President of the Senate and the Speaker of the House of Representatives a schedule for completing zero-based budgeting reviews of all state agencies prior to December 31, 2008.~~

7.2 7.3—Organizational Structure

(1) The commission shall be composed of seven members of the Senate appointed by the President of the Senate and seven members of the House of Representatives appointed by the Speaker of the House of

Representatives. ~~The appointees shall include the chairman of the Fiscal Responsibility Council in the House of Representatives and the chairman of the Committee on Appropriations in the Senate.~~

~~(2) The members of the commission shall elect a chairman and a vice chairman. In even-numbered years, a Senator shall be chairman and a House member vice chairman. In odd-numbered years, a House member shall be chairman and a Senator vice chairman.~~

~~(3) The commission shall meet at least quarterly and more frequently at the direction of the presiding officers or the chairman. Meetings may be conducted through teleconferences or other electronic means.~~

~~(4) A quorum shall consist of a majority of the commission members of each house plus one additional member of the commission.~~

~~(5) Action by the commission shall require a majority vote of the members present of each house.~~

~~(2)(6) The commission shall be jointly staffed by the appropriations committees of both houses. During even-numbered years, The Senate shall provide the lead staff when the chairperson is a Senator. During odd-numbered years, The House of Representatives shall provide the lead staff when the chairperson is a Representative.~~

7.3 7.4—Notice of Commission Meetings

Not less than 7 days prior to a meeting of the commission, a notice of the meeting, stating the items to be considered, date, time, and place, shall be filed with the Secretary of the Senate when the *chairperson* ~~chairman~~ is a Senator or with the *Chief Clerk* of the House of Representatives when the *chairperson* ~~chairman~~ is a Representative. The Secretary or the *Chief Clerk* shall distribute notice to the Legislature and the public, consistent with the rules and policies of their respective houses.

7.4—Effect of Adoption; Intent

This Joint Rule Seven replaces all prior joint rules governing the Joint Legislative Budget Commission and is intended to implement constitutional provisions relating to the Joint Legislative Budget Commission existing as of the date of the rule's adoption.

JOINT RULE EIGHT

CONTINUING EXISTENCE OF JOINT RULES

8.1—Continuing Existence of Joint Rules

~~All joint rules adopted by concurrent resolution, and amendments thereto, shall continue in effect from session to session or Legislature to Legislature until repealed by concurrent resolution.~~

—a companion measure, was substituted for **CS for SCR 2396** and read the second time in full. On motion by Senator King, **HCR 7011** was adopted and certified to the House.

By Senator Haridopolos—

SB 1014—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; providing for the adoption of the 2007 version of the Internal Revenue Code; providing for retroactivity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1014** was placed on the calendar of Bills on Third Reading.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Dockery, by two-thirds vote **CS for SB 184** and **SB 472** were withdrawn from the Committee on Criminal and Civil Justice Appropriations; and **CS for SB 412** was withdrawn from the Committee on Higher Education Appropriations.

On motion by Senator Saunders, by two-thirds vote **CS for CS for SJR 388** was withdrawn from the Committee on Education Pre-K - 12

Appropriations; **CS for SB 650, CS for SB 682, CS for SM 1506 and SB 2876** were withdrawn from the Committee on Health and Human Services Appropriations; and **SB 192** was withdrawn from the Committee on Higher Education Appropriations.

On motion by Senator Hill, by two-thirds vote **SB 480** was withdrawn from the committees of reference and further consideration.

MOTIONS

On motion by Senator Carlton, provisions of Rule 2.39 were waived for the purpose of considering the proposed appropriations bills and conforming bills by the respective appropriations committees at the meetings scheduled for Wednesday, March 28; the amendment deadline for the appropriations bills and conforming bills was set for 3:00 p.m. on Monday, March 26; and the amendment deadline for amendments to amendments and substitute amendments was set for 3:00 p.m. on Tuesday, March 27.

REPORTS OF COMMITTEES

The Responsible Regulation Policy and Calendar Committee submits the following bills as the Special Order Calendar for Thursday, March 22, 2007: CS for SB 1970, SB 1024, CS for CS for SB 1026

Respectfully submitted,
Lee Constantine, Chair

The Fiscal Policy and Calendar Committee submits the following bills as the Special Order Calendar for Thursday, March 22, 2007: CS for SB 1320, SB 1322, SB 1324, SB 2388, SB 2394, SB 1312, SB 1314, SB 1316, SB 1308, SB 1310, SB 1428, CS for SB 1430, SB 1326, CS for SB 1328, SB 1318, CS for SB 1330, SB 1332, SB 1334, SB 1014

Respectfully submitted,
Lisa Carlton, Chair

The Oversight and Procedural Policy and Calendar Committee submits the following bills as the Special Order Calendar for Thursday, March 22, 2007: SB 2286, SB 2284, SB 2288, CS for SCR 2396

Respectfully submitted,
James E. "Jim" King, Jr., Chair

The Committee on Health Policy recommends the following pass: SB 284

The bill was referred to the Committee on Commerce under the original reference.

The Committee on Ethics and Elections recommends the following pass: SB 734 with 1 amendment; SB 2166 with 3 amendments

The Committee on Health Policy recommends the following pass: SB 212

The bills contained in the foregoing reports were referred to the Committee on Community Affairs under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 894 with 1 amendment; SB 2866 with 2 amendments

The bills were referred to the Committee on Criminal Justice under the original reference.

The Committee on Health Policy recommends the following pass: SB 1172

The Committee on Health Regulation recommends the following pass: SB 1836 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on General Government Appropriations under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 390; SB 564 with 1 amendment

The Committee on Education Pre-K - 12 recommends the following pass: CS for SB 988 with 2 amendments

The Committee on Higher Education recommends the following pass: SB 2416 with 1 amendment; SB 2418 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Governmental Operations under the original reference.

The Committee on Higher Education recommends the following pass: SB 1648

The bill was referred to the Committee on Health Policy under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 2868 with 1 amendment

The bill was referred to the Committee on Health Regulation under the original reference.

The Committee on Higher Education recommends the following pass: SB 1710

The bill was referred to the Committee on Higher Education Appropriations under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 2870

The Committee on Health Policy recommends the following pass: SB 370

The Committee on Health Regulation recommends the following pass: SB 2220 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: CS for SB 154

The Committee on Transportation and Economic Development Appropriations recommends the following pass: CS for SB 1454; SB 1964

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Criminal Justice recommends a committee substitute for the following: SB 732

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Transportation recommends a committee substitute for the following: SB 1722

The bill with committee substitute attached was referred to the Committee on Commerce under the original reference.

The Committee on Transportation recommends committee substitutes for the following: SB 1928; SB 2804

The bills with committee substitutes attached were referred to the Committee on Community Affairs under the original reference.

The Committee on Transportation recommends a committee substitute for the following: SB 1792

The bill with committee substitute attached was referred to the Committee on Criminal and Civil Justice Appropriations under the original reference.

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 542

The Committee on Commerce recommends a committee substitute for the following: SB 612

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Criminal Justice under the original reference.

The Committee on Education Pre-K - 12 recommends committee substitutes for the following: SB 1234; SB 2092

The bills with committee substitutes attached were referred to the Committee on Education Pre-K - 12 Appropriations under the original reference.

The Committee on Commerce recommends a committee substitute for the following: SB 96

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 1750

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Finance and Tax under the original reference.

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 402

The Committee on Commerce recommends a committee substitute for the following: SB 2420

The Committee on Ethics and Elections recommends a committee substitute for the following: SB 524

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Governmental Operations under the original reference.

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 434

The bill with committee substitute attached was referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Higher Education recommends a committee substitute for the following: SB 2012

The bill with committee substitute attached was referred to the Committee on Health Regulation under the original reference.

The Committee on Regulated Industries recommends a committee substitute for the following: SB 920

The bill with committee substitute attached was referred to the Committee on Higher Education under the original reference.

The Committee on Commerce recommends a committee substitute for the following: SB 1726

The Committee on Criminal Justice recommends committee substitutes for the following: SB 474; SB 1030; SB 1544; SB 1604; SB 1794; SB 1978

The Committee on Health Regulation recommends a committee substitute for the following: SB 2022

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Commerce; and Senator Saunders—

CS for SB 96—A bill to be entitled An act relating to the entertainment industry; amending s. 212.08, F.S., providing for inclusion of the tax credits granted to certain productions under s. 288.1254, F.S., in exemptions to the sales tax; providing requirements and procedures concerning electronic funds transfer and deduction of the credit; amending s. 288.1254, F.S.; revising the entertainment industry financial incentive program to allow a credit against corporate income taxes and sales and use taxes to qualified entertainment entities rather than reimbursements from appropriations; providing definitions; creating the program within the Office of Film and Entertainment; providing purpose of the program; providing for submittal and approval of an application under the program; providing for review by the Office of Film and Entertainment, the Office of Tourism, Trade, and Economic Development, and the Department of Revenue; providing standards for review; providing for verification of which expenditures concerning an entertainment production qualify for a tax credit under the program; requiring various determinations by the Office of Film and Entertainment, the Office of Tourism, Trade, and Economic Development, and the Department of Revenue concerning the verification or award of the tax credit; requiring inclusion of marketing materials promoting this state as a condition of receiving a tax credit; providing criteria concerning eligibility for the tax credit; providing for the total aggregate amount available for tax credits; providing for use or transfer of the tax credit; providing for carryover of the tax credit in certain circumstances; providing for use of the tax credit in a consolidated return; providing for distribution of the tax credit to partners in certain circumstances; providing for succession of tax credits; providing requirements concerning transfer of tax credits; requiring certain recipients of transferred tax credits to pay a fee; providing for deposit of such fees to the Grants and Donations Trust Fund; providing for use of funds so deposited for grants concerning film education; providing priorities for allocation of tax credits; providing for withdrawal of tax credit eligibility; establishing queues; specifying requirements concerning each queue; authorizing the Office of Tourism, Trade, and Economic Development to adopt rules, policies, and procedures; authorizing the Department of Revenue to adopt rules and conduct audits; providing for revocation and forfeiture of tax credits; providing liability for reimbursement of certain costs and fees associated with a fraudulent claim concerning a tax credit; requiring an annual report to the Governor and the Legislature; providing for future repeal; creating s. 288.1256, F.S.; requiring the Office of Film and Entertainment to use specified funds to award a grant or loan guarantee for films meeting specified criteria; amending s. 213.053, F.S.; providing for disclosure by the Department of Revenue of certain information concerning the tax credits granted under s. 288.1254, F.S., under certain conditions; amending s. 220.02,

F.S.; including the corporate income tax credits enumerated in s. 288.1254, F.S., in the order of application of credits against certain taxes; amending s. 288.1252, F.S.; providing additional duties of the Florida Film and Entertainment Advisory Council; repealing s. 288.1255, F.S., relating to funding for the entertainment industry financial incentive program; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senators Fasano and Bennett—

CS for SB 402—A bill to be entitled An act relating to developmental disabilities institutions; creating s. 393.35, F.S.; providing legislative intent; requiring the Agency for Persons with Disabilities to give written notice to certain specified persons if the agency proposes to close or reduce by more than 10 percent the resident population of a developmental disabilities institution; providing the content of the notice; requiring the Governor and Cabinet to hold a public hearing; requiring that notice of the public hearing be given in a specified manner; providing the issues to be considered at the public hearing; requiring the Governor and Cabinet to approve or disapprove the proposal of the agency; requiring the agency to provide monthly reports; requiring the agency to conduct a study and prepare a report on the feasibility of an alternate facility; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Jones—

CS for SB 434—A bill to be entitled An act relating to caregivers for adults; authorizing the Department of Elderly Affairs to create a pilot program in certain counties to train economically disadvantaged workers who are a specified age or older to act as companions and provide certain services to frail and vulnerable adults in the community; specifying additional purposes of the pilot program; requiring an evaluation and report to the Legislature; providing an appropriation; providing an effective date.

By the Committee on Criminal Justice; and Senator Hill—

CS for SB 474—A bill to be entitled An act relating to pardons; creating the “Rosa Parks Act”; creating s. 940.035, F.S.; encouraging the Board of Executive Clemency to grant a full pardon to a person convicted of protesting or challenging a state law or local government ordinance the purpose of which was to maintain racial segregation of or racial discrimination against individuals; providing application procedures; requiring the Parole Commission to notify the state attorney of the circuit where the violation occurred; requiring that the pardon be granted unless the state attorney files an objection with the commission on the grounds that the conviction did not result from a violation of a law or ordinance the purpose of which was to maintain racial segregation of or racial discrimination against individuals; requiring a hearing if the state attorney files an objection; providing that a person who receives a full pardon under the act is not required to disclose the fact of the conviction or any record or matter relating to the conviction; amending s. 940.05, F.S.; providing that a person convicted of protesting or challenging laws or ordinances the purpose of which was to maintain racial segregation of or racial discrimination against individuals is entitled to the restoration of all rights of citizenship enjoyed by the person before the conviction if the person has received a full pardon from the Board of Executive Clemency; providing an effective date.

By the Committee on Ethics and Elections; and Senator Fasano—

CS for SB 524—A bill to be entitled An act relating to state public officials; creating s. 112.3142, F.S.; providing legislative intent; defining the term “covered public official”; requiring a covered public official before taking office to place all of his or her personal investments traded on a national or regional exchange into a publicly traded mutual fund or a qualified blind trust; providing for after-acquired financial interests; prohibiting a conflict of interest with respect to a blind trust; prohibiting a covered public official from attempting to influence or exercise any control over decisions regarding the management of the blind trust;

authorizing certain communications with the trustee of the blind trust; requiring the covered public official to report the blind trust on his or her financial disclosure statement; setting forth the requirements for a qualifying blind trust; requiring that a copy of the qualified blind trust agreement be filed with the Commission on Ethics within a specified period; providing for the revocation of a qualified blind trust; creating an exemption for certain public officials; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senators Margolis, Rich, Bennett, King, Hill and Lynn—

CS for SB 542—A bill to be entitled An act relating to forensic mental health; creating the Criminal Justice Mental Health Reinvestment Grant Program within the Department of Children and Family Services; providing for the purpose of the grant program; requiring the Substance Abuse and Mental Health Corporation to establish a statewide justice and mental health reinvestment grant review committee; providing for membership on the review committee; authorizing counties to apply for a planning grant or an implementation grant; requiring each county applying for a grant to have a planning council committee; providing for membership on the planning council or committee; requiring that all records and meetings be open to the public; requiring the corporation, in collaboration with others, to develop criteria to be used in reviewing submitted applications and selecting counties to be awarded a planning or implementation grant; requiring counties to include certain specified information when submitting the grant application; prohibiting a county from using grant funds to supplant existing funding; creating the Criminal Justice, Mental Health, and Substance Abuse Technical Assistance Center; providing for certain functions to be performed by the technical assistance center; requiring the technical assistance center to submit an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by a specified date; specifying the information to be included in the annual report; limiting the administrative costs a county may charge to the grant funds; amending s. 394.655, F.S.; creating the Criminal Justice Mental Health Policy Council in the Florida Substance Abuse and Mental Health Corporation; providing for membership; providing for the purpose of the council; providing an effective date.

By the Committee on Commerce; and Senator Crist—

CS for SB 612—A bill to be entitled An act relating to wrecker services; creating chapter 508, F.S.; providing for regulatory oversight of wrecker services by the Department of Agriculture and Consumer Services; creating s. 508.101, F.S.; providing definitions; creating s. 508.102, F.S.; creating the Wrecker Operator Advisory Council within the Department of Agriculture and Consumer Services; providing for membership, terms, and organization; providing for meeting procedures and recordkeeping; providing for reimbursement for travel and per diem expenses; directing the department to provide support services for the council; directing the council to review rules adopted by the department and to advise the department on matters relating to standards and practices in the wrecker industry; creating s. 508.103, F.S.; authorizing the department to adopt rules; creating s. 508.105, F.S.; requiring wrecker companies to register annually with the department; providing for the registration application; providing for processing of fingerprints by the Department of Law Enforcement; requiring fees for processing; providing for issuance of registration certificate; requiring display of the certificate; providing requirements for advertisements; requiring notification of changes in registration information; requiring that certain fees be paid; requiring certain companies to obtain a local business tax receipt prior to registration renewal; requiring insurance coverage; requiring the department to notify the Department of Highway Safety and Motor Vehicles when a registration has been suspended or revoked; creating s. 508.106, F.S.; authorizing the Department of Agriculture and Consumer Services to deny, revoke, or refuse to renew the registration of a wrecker company under certain circumstances; creating s. 508.1061, F.S.; requiring a wrecker company to accept certain forms of payment; creating s. 508.107, F.S.; requiring the department to establish a certification program for wrecker operators; providing for the department to approve certification courses and the organizations conducting the courses; providing for the department to prescribe course curricula; providing requirements for courses; requiring that each course include an examination approved by the department; providing criteria for the examination; requiring the organization conducting the course to issue the

certificate to the wrecker operator; creating s. 508.108, F.S.; requiring each certification course to offer optional specialized wrecker services instruction, training, and examinations; describing specialized wrecker services; directing the department to adopt rules prescribing specific standards to further define each specialized wrecker service; requiring council approval of the instruction, training, and examination; requiring the organization conducting the course to issue the certificate to the wrecker operator; creating s. 508.109, F.S.; providing for form and content of certification cards; authorizing the department to adopt rules for issuance of certification cards to an operator who completes a certification course and passes a certification examination in another state or completed a certification course and passed a certification examination in this state during a certain time period; authorizing the department to adopt rules for issuance of endorsements for specialized services to a wrecker operator who completed instruction and training for a specialized wrecker service and passed an endorsement examination for that specialized wrecker service during a certain time period; providing for approval by the council of out-of-state certification instructions, training, and examinations; providing for expiration of certification; requiring that certification cards be issued by the organizations conducting the courses; creating s. 508.111, F.S.; providing requirements for recertification; providing for a continuing education program to be established by the department; providing for curricula and examinations to be prescribed by the council; requiring course approval by the council; providing for a certificate to be issued by the training organization to the wrecker operator; creating s. 508.112, F.S.; prohibiting certain acts; creating ss. 508.113 and 508.114, F.S.; providing administrative and civil penalties; creating s. 508.116, F.S.; providing for registration and renewal fees; creating s. 508.117, F.S.; providing for deposit and use of fees, penalties, and other funds; creating s. 508.118, F.S.; authorizing counties and municipalities to enact ordinances governing wrecker operators; providing for the department to enter into a cooperative agreement with a county or municipality for the referral, investigation, and prosecution of consumer complaints or enforcement of specified wrecker services provisions; creating s. 508.119, F.S.; requiring that a wrecker company maintain records of its services and operators; requiring organizations that conduct operator certification or continuing education courses to maintain records on each person who successfully completes one of the courses; authorizing inspection of records by the department; creating s. 508.104, F.S.; prohibiting persons from owning, operating, or being issued a local business tax receipt on behalf of a wrecker company without first registering with the department; requiring registration prior to issuance or renewal of local business tax receipt; excluding certain motor vehicle repair shops; creating s. 508.115, F.S.; providing criminal penalties; creating s. 508.110, F.S.; prohibiting the performance of wrecker services after a certain date unless the operator is in the employ of a company that is registered; requiring wrecker operators to be certified; providing exceptions for certain shops and organizations; authorizing the department to inspect company records; creating s. 508.115, F.S.; providing criminal penalties; amending s. 120.80, F.S.; providing for appointment of a hearing officer by the director of the Division of the Florida Highway Patrol when a hearing is held to deny, suspend, or remove a wrecker company from participating in the wrecker-allocation system; creating s. 205.1977, F.S.; prohibiting a county or municipality from issuing or renewing a business tax receipt for a wrecker company that is not registered with the Department of Agriculture and Consumer Services; amending s. 316.530, F.S., relating to towing requirements; conforming terminology; amending s. 320.01, F.S.; redefining the term "wrecker" for purposes of the Florida Statutes; amending s. 320.03, F.S., relating to withholding the motor vehicle registration plate or revalidation sticker; providing for application of provisions to wrecker companies rather than wrecker operators; amending s. 320.0706, F.S.; requiring a wrecker to display the registration license plate only on its front; amending s. 320.0821, F.S.; revising requirements for the issuance of wrecker license plates; requiring that the license plate be displayed on the front of the wrecker; amending s. 320.13, F.S., relating to dealer license plates; conforming terminology; reenacting ss. 316.550(4)(a) and (9) and 320.08(5)(d) and (e), F.S., relating to special wrecker permits and license taxes, to incorporate the amendment to s. 320.01, F.S., in references thereto; amending s. 321.051, F.S.; revising provisions for the Florida Highway Patrol wrecker operator system; changing the designation to "wrecker-allocation system"; providing definitions; revising provisions that authorize the Division of the Florida Highway Patrol within the Department of Highway Safety and Motor Vehicles to establish the system; revising requirements for the system; limiting the system to using certain registered wrecker companies; revising wrecker eligibility requirements; revising provisions for procedures for appeal of final orders by the depart-

ment denying, suspending, or revoking eligibility to participate; prohibiting an unauthorized wrecker company and wrecker operators dispatched by an unauthorized company from engaging in certain activities; requiring those operators to disclose certain information to the owner or operator of a wrecked or disabled vehicle prior to towing; providing penalties; providing for a law enforcement officer to dispatch an authorized wrecker company other than a company requested by the vehicle owner or operator or to dispatch a company out of rotation; amending s. 323.001, F.S.; revising procedures for placement of a hold on a vehicle at a storage facility; providing for placement of a hold by a law enforcement agency; providing definitions; revising provisions for payment of towing and storage charges; revising rate limitation provisions; amending s. 323.002, F.S.; revising provisions for county and municipal wrecker operator systems; changing the designation to "wrecker-allocation systems"; providing definitions; limiting the systems to using certain registered wrecker companies; prohibiting an unauthorized wrecker company and wrecker operators dispatched by an unauthorized company from engaging in certain activities; requiring those operators to disclose certain information to the owner or operator of a wrecked or disabled vehicle prior to towing; providing penalties; providing for a law enforcement officer to dispatch an authorized wrecker company other than a company requested by the vehicle owner or operator or to dispatch a company out of rotation; amending s. 713.78, F.S.; providing for claim of lien by a wrecker company for recovering, removing, or storing a vehicle or vessel; conforming provisions to changes made by the act; providing definitions; requiring notification to the vehicle or vessel owners, insurers, and lienholders; providing for a law enforcement agency to obtain information from the Department of Highway Safety and Motor Vehicles and provide the information to the wrecker company; providing notice procedures; providing for content of the notice; providing for notice to the agency of jurisdiction if the vehicle or vessel owner or lienholder cannot be identified; revising procedures for complaint by the vehicle or vessel owner; providing for release of the vehicle or vessel; requiring damages, attorney's fees, and costs to be awarded by the court; requiring immediate payment of recovery, towing, and storage fees to be ordered by the court; providing for notice and sale of the vehicle or vessel by the wrecker company; providing for distribution of proceeds; providing for discharge of liens and issuance of certificate of title; providing immunity from liability for a wrecker company, its operators, and other employees or agents under certain conditions; providing for a presumption of the use of reasonable care; requiring wrecker company information to be printed on the wrecker; specifying that failure to make good-faith best efforts to comply with notice requirements precludes imposition of storage charges; requiring a wrecker company to provide access to the vehicle or vessel; requiring release of the vehicle, vessel, or personal property to the owner or agent of the owner; requiring the wrecker company to obtain a certificate of destruction in lieu of a certificate of title when the vehicle or vessel is to be dismantled, destroyed, or changed in such a manner that it is not the motor vehicle or vessel described in the certificate of title; providing for issuance of the certificate of destruction by the county tax collector; providing requirements for application for the certificate of destruction; providing for reassignment of the certificate of destruction; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules; providing penalties for specified violations; authorizing the Department of Highway Safety and Motor Vehicles to inspect wrecker company records; directing the Department of Highway Safety and Motor Vehicles, upon notice of lien from a wrecker company, to place the name of the owner of the vehicle or vessel on the list of those persons who may not be issued a license plate or revalidation sticker for a motor vehicle; providing for forms for the notice of lien; providing for dispute by the owner; providing for the owner's name to be removed from the list of those persons who may not be issued a license plate or revalidation sticker for a motor vehicle; providing for lien expiration; requiring a certificate of discharge to be issued by the wrecker company; providing for certain fees and charges; providing for application and exceptions; clarifying that the amendments made by the act do not affect the validity of prior liens; amending s. 715.07, F.S., revising provisions for the towing and storage of vehicles and vessels parked on real property without permission; providing definitions; providing requirements for storage facility operation; providing requirements for a wrecker company, its operators, and other employees or agents; prohibiting a wrecker company, a wrecker operator, or another employee or agent of a wrecker company from paying or accepting payment for the privilege of removing vehicles or vessels from a particular location; revising requirements for tow-away signs to be posted by property owners; requiring a wrecker company to maintain rate schedules with the local law enforcement agency and to post rates and contracts at its storage facility; revising requirements for

certain signage on a wrecker; providing immunity from liability for a wrecker company, its operators, and other employees or agents if entry into the vehicle or vessel is performed with reasonable care; revising provisions for release of the vehicle or vessel; providing that failure to comply with notice requirements precludes a wrecker company from imposing certain towing or storage charges; providing penalties; repealing s. 1.01(15), F.S., relating to the definition of the term "wrecker operator"; providing an appropriation and authorizing additional positions; providing effective dates.

By the Committee on Criminal Justice; and Senators Dawson, Lawson, Joyner, Hill and Rich—

CS for SB 732—A bill to be entitled An act relating to child abductions; creating s. 985.6011, F.S.; requiring the Department of Juvenile Justice to establish an immigration status screening program; providing an effective date.

By the Committee on Regulated Industries; and Senator Wise—

CS for SB 920—A bill to be entitled An act relating to cosmetology; amending s. 477.013, F.S.; providing and revising definitions; redefining "cosmetology" to include hair technician, esthetician, and nail technician services; including body wrapping within esthetician services; removing a distinction between specialty salons and other salons; creating s. 477.0131, F.S.; authorizing licensure for hair technicians, estheticians, nail technicians, and cosmetologists; amending s. 477.0132, F.S.; eliminating future body wrapping registrations; authorizing renewal of current body wrapping registrations; specifying that only the Board of Cosmetology may review, evaluate, and approve required text; amending s. 477.014, F.S.; revising requirements for qualification to practice under ch. 477, F.S.; authorizing current specialists to sit for licensure examinations in certain circumstances; providing for the renewal of current specialty registrations; amending s. 477.019, F.S.; revising qualification, education, licensure and renewal, supervised practice, and endorsement requirements for cosmetologist licenses to include and differentiate qualification, education, licensure and renewal, supervised practice, and endorsement requirements for hair technician, esthetician, and nail technician licenses; requiring the board to adopt certain procedures relating to licensure by endorsement; amending s. 477.0212, F.S.; requiring the board to adopt certain rules relating to license renewal or continuing education; amending s. 477.023, F.S.; stipulating that the Department of Education is not prevented from issuing grooming and salon services certification; creating s. 477.0231, F.S.; providing for the selection and placement of cosmetology interns; requiring a school program to provide written notice to the board regarding the internship sponsor and the cosmetology intern; providing requirements and duties of the internship sponsor; requiring a cosmetology salon to post notice regarding services of a student intern; requiring a cosmetology intern to possess written authorization to practice cosmetology; requiring the board to establish education prerequisites for cosmetology internships; authorizing the board to terminate an internship of a cosmetology intern or the sponsorship of a internship sponsor; requiring the board to give notice of termination; amending s. 477.025, F.S., relating to cosmetology and specialty salons, requisites, licensure, inspection, and mobile cosmetology salons, to conform; amending s. 477.026, F.S.; revising fee provisions to conform; amending s. 477.0263, F.S., to conform; specifying circumstances under which cosmetology or specialty services may be practiced outside of a licensed salon; amending s. 477.0265, F.S., relating to prohibited acts, to conform; amending s. 477.028, F.S., relating to disciplinary proceedings, to conform; amending s. 477.029, F.S., relating to penalties, to conform; repealing s. 477.0201, F.S., relating to specialty registration, qualifications, registration renewal, and endorsement; providing an effective date.

By the Committee on Criminal Justice; and Senators Argenziano and Bennett—

CS for SB 1030—A bill to be entitled An act relating to court costs; amending s. 938.01, F.S.; increasing the court cost assessed against any person convicted of violating a state penal or criminal statute or convicted of violating a municipal or county ordinance; increasing the

amount deducted from every bond estreature or forfeited bail bond related to such penal statutes which is remitted to the Department of Revenue; revising the allocation of funds received from the court costs and distributed to the Department of Law Enforcement Criminal Justice Standards and Training Trust Fund, the Department of Law Enforcement Operating Trust Fund for the Criminal Justice Grant Program, and the Department of Children and Family Services Domestic Violence Trust Fund for the domestic violence program; amending s. 938.30, F.S.; requiring defendants to pay all outstanding criminal costs and fines prior to the court entering an order to seal or expunge criminal history records; amending ss. 318.18 and 327.73, F.S., relating to civil penalties for noncriminal traffic and boating infractions; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Education Pre-K - 12; and Senator Gaetz—

CS for SB 1234—A bill to be entitled An act relating to student performance; amending s. 1001.03, F.S.; specifying the student performance standards that must be used for civics education; creating s. 1004.65, F.S.; establishing the Florida Joint Center for Citizenship; providing purpose and location; providing membership and for an advisory board; authorizing the center to solicit and receive funding; providing for an annual report; amending s. 1008.22, F.S.; requiring the Commissioner of Education to include social studies as part of the Florida Comprehensive Assessment Test; providing an effective date.

By the Committee on Criminal Justice; and Senator Argenziano—

CS for SB 1544—A bill to be entitled An act relating to ex-offenders; creating the Ex-Offender Task Force for the purpose of studying ways to reintegrate ex-offenders into the community and remove barriers to the employment of ex-offenders; providing for the appointment of members to the task force; providing for a chairperson and for meetings; authorizing reimbursement of the members for per diem and travel expenses; requiring the Department of Corrections to provide staff support for the task force within existing appropriations; requiring the task force to take testimony regarding occupations from which an ex-offender is disqualified from employment; requiring the task force to recommend changes in policies and to propose rules and legislation to implement its recommendations; requiring that the task force submit a preliminary report and a final report to the Governor and the Legislature by specified dates; requiring that state agencies cooperate with the task force in the performance of its duties; providing for the task force to be abolished after completing its activities; providing an effective date.

By the Committee on Criminal Justice; and Senator Argenziano—

CS for SB 1604—A bill to be entitled An act relating to sexual offenders and predators; amending s. 775.21, F.S.; revising criteria for designation as a sexual predator; correcting a cross-reference; requiring sexual predators to register with the Department of Law Enforcement through a sheriff's office; requiring a sexual predator who is supervised by the Department of Corrections but not incarcerated to register within a specified period; requiring that the custodian of a local jail register a sexual predator within a specified period after intake; deleting provisions allowing certain predators to have predator designation removed after a specified period; revising references to applicable federal law; revising provisions relating to verification of addresses; providing specified immunity to the Department of Juvenile Justice; amending s. 943.0435, F.S.; revising criteria for sexual offender designation; revising the definition of the term "conviction"; revising reporting requirements; revising references to applicable federal law; revising provisions relating to verification of addresses; providing specified immunity to the Department of Juvenile Justice; revising provisions relating to petitions to allow certain offenders to remove the offender designation after a specified period; creating s. 943.04354, F.S.; allowing certain sexual predators and sexual offenders to petition for the removal of the registration requirement; providing that a court may grant the petition if certain criteria are met and removal of the registration requirement will not conflict with federal law; creating s. 943.44353, F.S.; requiring development and maintenance of a system to provide automatic notification of registration information regarding sexual predators and sexual offenders to the public; amending s. 943.0515, F.S.; requiring retention of

records of minors adjudicated delinquent of specified sexual offenses; amending s. 944.606, F.S.; revising criteria for designation as a sexual offender; providing registration and notification duties for a custodian of a local jail regarding sexual offenders; amending s. 944.607, F.S.; revising the definition of a sexual offender for notification purposes; revising duties of clerks of court; revising registration requirements; providing registration and notification duties for a custodian of a local jail regarding sexual offenders; providing specified immunity to the Department of Juvenile Justice; requiring more frequent reregistration for specified offenders; amending s. 985.04, F.S.; providing that specified sexual predator and offender registration information is a public record; amending s. 985.045, F.S.; conforming a provision; creating s. 985.481, F.S.; providing for notification upon release of specified juvenile sexual offenders; providing for availability of specified information concerning such offenders; providing immunity for specified officials; creating s. 985.4815, F.S.; providing for notification to the Department of Law Enforcement concerning specified juvenile sexual offenders; providing definitions; providing duties of clerks of court; providing registration requirements; requiring specified information to be made available to the Department of Law Enforcement; providing duties of a custodian of a local jail; providing for forwarding of information for specified offenders under federal supervision; providing penalties for failure to comply with requirements; providing venue for prosecution of specified offenses; providing for the effect of certain actions; providing that registration following certain actions does not provide a defense to specified charges; providing immunity for specified agencies and persons for certain actions; prohibiting certain acts concerning offenders; providing criminal penalties; providing reporting requirements for offenders; amending s. 921.0022, F.S.; ranking within the offense severity ranking chart of the Criminal Punishment Code certain offenses relating to the registration requirements for sexual offenders; providing an effective date.

By the Committee on Transportation; and Senator Baker—

CS for SB 1722—A bill to be entitled An act relating to motor vehicle dealers; amending s. 320.64, F.S.; revising provisions for grounds for denial, suspension, or revocation of license of a motor vehicle manufacturer, factory branch, distributor, or importer licensed by the Department of Highway Safety and Motor Vehicles to enter into franchise agreements with dealers; prohibiting certain charge-backs of warranty service payments made to a dealer unless certain procedures are followed; revising such procedures; prohibiting applicant or licensee from refusing to allow, limiting, or restricting a motor vehicle dealer acquisition or addition of operations for another line-make of motor vehicles without a showing that the acquisition or addition would impair the dealer's ability to adequately sell or service such applicant's or licensee's motor vehicles; amending s. 320.641, F.S.; revising procedures for a determination that a discontinuation, cancellation, or nonrenewal of a franchise agreement by the applicant or licensee is unfair; providing for a 180-day notice to cure an alleged breach of the agreement; providing an effective date.

By the Committee on Commerce; and Senator Baker—

CS for SB 1726—A bill to be entitled An act relating to award of attorney's fees; reenacting and amending s. 57.105, F.S., relating to attorney's fees and sanctions for raising unsupported claims or defenses; providing an entitlement to fees and requiring compliance with filing provisions; providing legislative intent; reenacting and amending s. 768.79, F.S.; allowing offers to be made by or to any party or parties; requiring joint proposals to state the amount and terms attributable to each party; providing exceptions when a party is alleged to be solely vicariously, constructively, derivatively, or technically liable; providing legislative intent; providing for specified retroactive applicability; providing applicability; providing an effective date.

By the Committee on Education Pre-K - 12; and Senator Gaetz—

CS for SB 1750—A bill to be entitled An act relating to district school taxes; amending ss. 200.065 and 1011.71, F.S.; authorizing a district school board to levy additional taxes, not to exceed 2 mills, to fund property and casualty insurance costs of the school district; limiting the use of operating funds made available through such expenditures of

those revenues; providing exemptions from certain expenditure restrictions for school districts meeting certain requirements related to class size and audits; providing an effective date.

By the Committees on Transportation; and Criminal Justice; and Senator Argenziano—

CS for SB 1792—A bill to be entitled An act relating to the Department of Corrections; amending s. 316.003, F.S.; including vehicles operated by the department within the definition of the term "authorized emergency vehicles" for purposes of the Florida Uniform Traffic Control Law; amending s. 316.2397, F.S.; authorizing the department to operate vehicles that have emergency lights and sirens; amending s. 945.215, F.S.; providing for the funds in the Employee Benefit Trust Fund to be used for certain additional purposes; limiting the types of donations that the department may accept for deposit into the fund; requiring that the fund be subject to oversight by the Secretary of Corrections and an annual audit; requiring that the department provide an annual report concerning allocations from the trust fund at the request of the Legislature and Governor; requiring that the department adopt rules; amending s. 945.21501, F.S.; requiring that facilities constructed using funds from the Employee Benefit Trust Fund provide maximum benefit for all employees; requiring that the department adopt rules; providing an effective date.

By the Committee on Criminal Justice—

CS for SB 1794—A bill to be entitled An act relating to probation; amending s. 948.06, F.S.; authorizing the court to issue a notice to appear for certain violators; providing for service of notices to appear; providing for tolling of the probationary period; providing for the use of a notification letter of a technical violation of a term of probation or community control; authorizing the court to allow the submission of certain documents electronically or by facsimile; requiring the Department of Corrections to provide the court with recommendations as to disposition by the court; requiring the Department of Corrections to conduct a study and submit a report; providing an effective date.

By the Committee on Transportation—

CS for SB 1928—A bill to be entitled An act relating to transportation; amending s. 20.23, F.S.; providing that the salary and benefits of the executive director of the Florida Transportation Commission shall be set in accordance with the Senior Management Service; amending s. 112.061, F.S.; authorizing metropolitan planning organizations and certain separate entities to establish per diem and travel reimbursement rates; amending s. 121.021, F.S.; defining the term "metropolitan planning organization" for purposes of the Florida Retirement System Act; revising definitions to include M.P.O.'s and positions in M.P.O.'s; amending s. 121.051, F.S.; providing for M.P.O.'s to participate in the Florida Retirement System; amending s. 121.055, F.S.; requiring certain M.P.O. staff positions to be in the Senior Management Service Class; amending s. 121.061, F.S.; providing for enforcement of certain employer funding contributions required under the Florida Retirement System; authorizing deductions of amounts owed from certain funds distributed to an M.P.O.; authorizing the governing body of an M.P.O. to file and maintain an action in court to require an employer to remit retirement or social security member contributions or employer matching payments; amending s. 121.081, F.S.; providing for M.P.O. officers and staff to claim credit for past service for retirement benefits; amending s. 212.055, F.S.; deleting a provision prohibiting a school district, county, or municipality from issuing bonds more than once each year pledging the proceeds of certain discretionary taxes; amending s. 215.615, F.S.; revising the Department of Transportation's requirement to share certain costs of fixed-guideway system projects; revising criteria for an interlocal agreement to establish bond financing for fixed-guideway system projects; revising provisions for sources of funds for the payment of bonds; amending s. 255.20, F.S.; increasing a threshold for public works projects of specified local governments which must be competitively awarded; amending s. 336.41, F.S.; increasing the threshold for certain road construction and maintenance by counties which is exempt from a competitive-bid requirement; amending s. 316.605, F.S.; providing

height and placement requirements for vehicle license plates; prohibiting display that obscures identification of the letters and numbers on a license plate; providing penalties; amending s. 316.650, F.S.; revising procedures for disposition of citations issued for failure to pay toll; providing that the citation will not be submitted to the court and no points will be assessed on the driver's license if the person cited elects to make payment directly to the governmental entity that issued the citation; providing for reporting of the citation by the governmental entity to the Department of Highway Safety and Motor Vehicles; amending s. 318.14, F.S.; providing for the amount required to be paid under certain procedures for disposition of a citation issued for failure to pay toll; providing for the person cited to request a court hearing; amending s. 318.18, F.S.; revising penalties for failure to pay a prescribed toll; providing for disposition of amounts received by the clerk of court; removing procedures for withholding of adjudication; providing for suspension of a driver's license under certain circumstances; amending s. 320.061, F.S.; prohibiting interfering with the legibility, angular visibility, or detectability of any feature or detail on a license plate or interfering with the ability to record any feature or detail on a license plate; amending s. 336.025, F.S.; deleting a prohibition against local governments issuing certain bonds secured by revenues from local option fuel taxes more than once a year; amending s. 339.175, F.S.; revising intent; providing the method of creation and operation of M.P.O.'s required to be designated pursuant to federal law; specifying that an M.P.O. is separate from the state or the governing body of a local government that is represented on the governing board of the M.P.O. or that is a signatory to the interlocal agreement creating the M.P.O.; providing specified powers and privileges to the M.P.O.; providing for the designation and duties of certain officials; revising requirements for voting membership; defining the term "elected officials of a general-purpose local government" to exclude certain constitutional officers for voting membership purposes; providing for the appointment of alternates and advisers; providing that members of an M.P.O. technical advisory committee shall serve at the pleasure of the M.P.O.; providing for the appointment of an executive or staff director and other personnel; authorizing an M.P.O. to enter into contracts with public or private entities to accomplish its duties and functions; providing for the training of certain persons who serve on an M.P.O. for certain purposes; requiring that certain plans, programs, and amendments that affect projects be approved by each M.P.O. on a recorded roll call vote, or hand-counted vote, of a majority of the membership present; amending s. 339.2819, F.S.; revising the share of matching funds for a public transportation project provided from the Transportation Regional Incentive Program; creating s. 339.282, F.S.; providing legislative findings; providing that property owners or developers who voluntarily contribute right-of-way and physically construct or expand a state transportation facility or segment may receive certain credits against any future transportation concurrency requirements under certain conditions; amending s. 343.81, F.S.; prohibiting elected officials from serving on the Northwest Florida Transportation Corridor Authority; providing for application of the prohibition to apply to persons appointed to serve on the authority after a certain date; amending s. 343.82, F.S.; directing the authority to plan for and study the feasibility of constructing, operating, and maintaining a bridge or bridges, and appurtenant structures, spanning Choctawhatchee Bay or Santa Rosa Sound; authorizing the authority to construct, operate, and maintain said bridges and structures; amending s. 348.0004, F.S.; authorizing certain transportation-related authorities to enter into agreements with private entities for the building, operation, ownership, or financing of transportation facilities; amending s. 348.0012, F.S.; revising provisions for certain exemptions from the Florida Expressway Authority Act; amending s. 348.754, F.S.; authorizing the Orlando-Orange County Expressway Authority to waive payment and performance bonds on certain construction contracts if the contract is awarded pursuant to an economic development program for the encouragement of local small businesses; providing criteria for participation in the program; providing criteria for the bond waiver; providing for certain determinations by the authority's executive director or a designee as to the suitability of a project; providing for certain payment obligations if a payment and performance bond is waived; requiring the authority to record notice of the obligation; limiting eligibility to bid on the projects; providing for the authority to conduct bond eligibility training for certain businesses; requiring the authority to submit biennial reports to the Orange County legislative delegation; amending ss. 163.3177, 339.176, and 341.828, F.S.; correcting cross-references; amending s. 2, ch. 89-383, Laws of Florida; providing for certain alterations to and along Red Road in Miami-Dade County for transportation safety purposes; providing an effective date.

By the Committee on Criminal Justice—

CS for SB 1978—A bill to be entitled An act relating to the use of a minor to facilitate the commission of a crime; creating s. 775.0851, F.S.; requiring that a forcible felony be reclassified to the next higher degree if, during the commission or attempted commission of the offense, the offender was 18 years of age or older and willfully used, conspired with, or otherwise involved a person 13 years of age or older but younger than 18 years of age in committing the offense or in avoiding detection or apprehension for the offense; providing for ranking an enhanced offense under the sentencing guidelines; authorizing the court to sentence the offender to a term of imprisonment which is longer than otherwise required; providing an effective date.

By the Committee on Higher Education; and Senator Oelrich—

CS for SB 2012—A bill to be entitled An act relating to state universities; amending s. 1004.24, F.S.; transferring responsibility for securing liability insurance from the State Board of Education to the Board of Governors; authorizing discussion of patient care information for certain purposes; amending ss. 1004.43 and 1004.445, F.S.; conforming provisions; amending s. 1012.965, F.S.; authorizing a university board of trustees to intervene in a civil action for medical negligence under certain circumstances; providing legal status of employees and agents of a university board of trustees and university faculty practice plan entities; providing an effective date.

By the Committee on Health Regulation; and Senators Bennett and Rich—

CS for SB 2022—A bill to be entitled An act relating to immunization services; amending s. 465.003, F.S.; redefining the term "practice of the profession of pharmacy" to include the administration of influenza vaccines to adults by a pharmacist; creating s. 465.189, F.S.; authorizing pharmacists to administer influenza vaccines within an established protocol and under a supervisory practitioner who is a licensed physician or by written agreement with a county health department; providing requirements for the protocol; requiring training and certification in the administration of influenza vaccination and employer approval before entering into a protocol; requiring a pharmacist to maintain and make available patient records for a certain time period; providing requirements for the certification program; providing an effective date.

By the Committee on Education Pre-K - 12; and Senator Deutch—

CS for SB 2092—A bill to be entitled An act relating to charter school districts; amending s. 1003.62, F.S.; postponing the termination of an academic performance-based charter school pilot program in certain counties; providing an effective date.

By the Committee on Commerce; and Senator Ring—

CS for SB 2420—A bill to be entitled An act relating to venture capital funds; creating s. 288.9621, F.S.; providing a short title; creating s. 288.9622, F.S.; providing legislative findings and intent; creating s. 288.9623, F.S.; providing definitions; creating s. 288.9624, F.S.; creating the SURE Trust as a state beneficiary public trust; requiring Enterprise Florida, Inc., to provide administrative support to the trust and be its successor in interest; providing for administration by a board of trustees; providing for appointment of board trustees; providing for terms; providing for service without compensation; providing for reimbursement for travel and other expenses; providing criteria for trustees; providing powers and duties of trustees; providing for hiring employees; providing for meetings of the board; creating s. 288.9625, F.S.; authorizing the trust to receive, hold, use, transfer, and sell certain tax credits for certain purposes; providing requirements and limitations; authorizing the Department of Revenue to adopt rules for certain purposes; creating s. 288.9626, F.S.; requiring Enterprise Florida, Inc., to facilitate establishment of the SURE Venture Capital Fund; specifying criteria of the fund; providing for appointment of a board of trustees selection committee; providing for selection of a board of directors of the fund by Enterprise

Florida, Inc.; specifying criteria; providing for terms and requirements of the directors; providing purposes of the fund; providing duties and responsibilities of the fund; authorizing the fund to charge a management fee for certain purposes; providing for reimbursement for travel and other direct expenses; providing for powers of the fund; providing investment requirements for the fund; requiring the board of directors to issue an annual report on the activities of the fund; providing report requirements; creating s. 288.9628, F.S.; creating the Institute for the Commercialization of Public Research; providing legislative intent; providing that the purpose of the institute is to commercialize the products of public research; providing responsibilities of the institute; prohibiting the institute from having any interest in any product supported by the institute; providing appropriations; providing an effective date.

By the Committee on Transportation; and Senator Baker—

CS for SB 2804—A bill to be entitled An act relating to transportation; amending s. 215.615, F.S.; revising the Department of Transportation's requirement to share certain costs of fixed-guideway system projects; revising criteria for an interlocal agreement to establish bond financing for fixed-guideway system projects; revising provisions for sources of funds for the payment of bonds; amending s. 332.007, F.S.; authorizing the Department of Transportation to provide funds for certain general aviation projects under certain circumstances; extending the timeframe during which the department is authorized to provide operational and maintenance assistance to certain airports and may redirect the use of certain funds to security-related or economic-impact projects related to the events of September 11, 2001; amending s. 332.14, F.S., relating to the Secure Airports for Florida's Economy Council; providing for certain members of the council to be nonvoting members; amending s. 337.11, F.S.; providing that certain construction projects be advertised for bids in local newspapers; amending s. 337.14, F.S.; authorizing the department to waive specified prequalification requirements for certain transportation projects under certain conditions; amending s. 337.18, F.S.; revising surety bond requirements for construction or maintenance contracts; providing for incremental annual surety bonds for multiyear maintenance contracts under certain conditions; revising the threshold for transportation projects eligible for a waiver of surety bond requirements; authorizing the department to provide for phased surety bond coverage or an alternate means of security for a portion of the contract amount in lieu of the surety bond; amending s. 338.221, F.S.; redefining the term "economically feasible" for purposes of certain turnpike projects; amending s. 338.2275, F.S.; deleting obsolete provisions relating to approved turnpike projects; revising the maximum amount of bonds that are available for turnpike projects; creating s. 339.282, F.S.; creating the Enhanced Bridge Program for Sustainable Transportation within the Department of Transportation; providing for the use of funds in the program; providing project guidelines for program funding; amending s. 339.08, F.S.; allowing moneys in the State Transportation Trust Fund to pay the cost of the Enhanced Bridge System; amending s. 339.55, F.S.; providing for the use of State Infrastructure Bank loans for certain damaged transportation facilities in areas officially declared to be in a state of emergency; providing criteria; amending s. 341.071, F.S.; requiring certain public transit providers to annually report potential productivity and performance enhancements; defining the terms "agency" and "construction aggregate materials"; providing legislative intent; establishing the Strategic Aggregates Review Task Force; providing for membership, staffing, reporting, and expiration; prohibiting an agency from approving or denying a land use zoning change, comprehensive plan amendment, land use permit, ordinance, or order without consulting with the Department of Transportation and considering the effect of such decision; prohibiting an agency from imposing a moratorium on the mining or extraction of construction aggregate materials of longer than a specified period; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Regulated Industries; and Senator Wise—

CS for SB 920—A bill to be entitled An act relating to cosmetology; amending s. 477.013, F.S.; providing and revising definitions; redefining "cosmetology" to include hair technician, esthetician, and nail technician services; including body wrapping within esthetician services; removing

a distinction between specialty salons and other salons; creating s. 477.0131, F.S.; authorizing licensure for hair technicians, estheticians, nail technicians, and cosmetologists; amending s. 477.0132, F.S.; eliminating future body wrapping registrations; authorizing renewal of current body wrapping registrations; specifying that only the Board of Cosmetology may review, evaluate, and approve required text; amending s. 477.014, F.S.; revising requirements for qualification to practice under ch. 477, F.S.; authorizing current specialists to sit for licensure examinations in certain circumstances; providing for the renewal of current specialty registrations; amending s. 477.019, F.S.; revising qualification, education, licensure and renewal, supervised practice, and endorsement requirements for cosmetologist licenses to include and differentiate qualification, education, licensure and renewal, supervised practice, and endorsement requirements for hair technician, esthetician, and nail technician licenses; requiring the board to adopt certain procedures relating to licensure by endorsement; amending s. 477.0212, F.S.; requiring the board to adopt certain rules relating to license renewal or continuing education; amending s. 477.023, F.S.; stipulating that the Department of Education is not prevented from issuing grooming and salon services certification; creating s. 477.0231, F.S.; providing for the selection and placement of cosmetology interns; requiring a school program to provide written notice to the board regarding the internship sponsor and the cosmetology intern; providing requirements and duties of the internship sponsor; requiring a cosmetology salon to post notice regarding services of a student intern; requiring a cosmetology intern to possess written authorization to practice cosmetology; requiring the board to establish education prerequisites for cosmetology internships; authorizing the board to terminate an internship of a cosmetology intern or the sponsorship of an internship sponsor; requiring the board to give notice of termination; amending s. 477.025, F.S., relating to cosmetology and specialty salons, requisites, licensure, inspection, and mobile cosmetology salons, to conform; amending s. 477.026, F.S.; revising fee provisions to conform; amending s. 477.0263, F.S., to conform; specifying circumstances under which cosmetology or specialty services may be practiced outside of a licensed salon; amending s. 477.0265, F.S., relating to prohibited acts, to conform; amending s. 477.028, F.S., relating to disciplinary proceedings, to conform; amending s. 477.029, F.S., relating to penalties, to conform; repealing s. 477.0201, F.S., relating to specialty registration, qualifications, registration renewal, and endorsement; providing an effective date.

—was referred to the Committees on Higher Education; and General Government Appropriations.

By the Committee on Criminal Justice; and Senator Argenziano—

CS for SB 1544—A bill to be entitled An act relating to ex-offenders; creating the Ex-Offender Task Force for the purpose of studying ways to reintegrate ex-offenders into the community and remove barriers to the employment of ex-offenders; providing for the appointment of members to the task force; providing for a chairperson and for meetings; authorizing reimbursement of the members for per diem and travel expenses; requiring the Department of Corrections to provide staff support for the task force within existing appropriations; requiring the task force to take testimony regarding occupations from which an ex-offender is disqualified from employment; requiring the task force to recommend changes in policies and to propose rules and legislation to implement its recommendations; requiring that the task force submit a preliminary report and a final report to the Governor and the Legislature by specified dates; requiring that state agencies cooperate with the task force in the performance of its duties; providing for the task force to be abolished after completing its activities; providing an effective date.

—was referred to the Committee on Criminal and Civil Justice Appropriations.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES—FINAL ACTION

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 1226.

William S. Pittman III, Chief Clerk

The bill contained in the foregoing message was ordered enrolled.

272, SB 1156, SB 1654; Jones—SB 1744; Joyner—SB 1012; King—SB 2512; Lynn—SB 438; Oelrich—SB 926; Rich—CS for CS for SB 392, SB 914; Ring—SCR 272, SB 1012, SB 1156; Wilson—CS for SB 128, SB 2698

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 21 was corrected and approved.

RECESS

CO-INTRODUCERS

Senators Argenziano—CS for SB 1342; Aronberg—SB 2574; Bennett—SCR 272; Bullard—SB 552, SB 886; Deutch—CS for SB 162, SB 1156; Diaz de la Portilla—CS for SB 128; Gaetz—SB 746; Geller—SCR

On motion by Senator King, the Senate recessed at 10:32 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 2:30 p.m., Wednesday, March 28 or upon call of the President.